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THE BATTLE OF BUNKER HILL

THERE is in Carlyle's *Life of Frederick the Great* an account of a curious conversation which took place in December, 1745, between Frederick and D'Arget, the secretary of Valori, the French ambassador at Berlin. It was at the close of the Second Silesian War, from which Frederick, then only thirty-three years of age, had emerged victorious, thenceforth to be till he died the leading figure in European political action. He was just entering on the eleven years of more or less broken peace which preceded the Seven Years' War. D'Arget, at the instance of Valori, had suggested some grand political combinations in which Frederick was to figure as the "Pacifcator of Europe." The King listened to him, and then replied: "It is too dangerous a part for playing. A reverse brings me to the verge of ruin: I know too well the mood I was in last time I left Berlin ever to expose myself to it again! If luck had been against me there, I saw myself a monarch without a throne; . . . A bad game that; . . . I am not in alarm about the Austrians. . . . They dread my army; the luck that I have. . . . I would not henceforth attack a cat except to defend myself." And so, says Carlyle, Frederick "seems to have little pride in his 'Five Victories'; or hides it well . . . and at times acknowledges, in a fine sincere way, the omnipotence of Luck in matters of War."¹

On the 14th of October, 1895, the centenary of the death of Colonel William Prescott, who commanded in the redoubt at Bunker Hill, was commemorated at Boston, and Dr. William Everett then delivered an address marked by a high order of eloquence and much reflection. A month later, on the 13th of November, there was unveiled at Hartford, Conn., a bronze statue

¹ Carlyle, *Frederick II.*, Book XVI., chap. i.

of Colonel Thomas Knowlton, of Ashford, the gallant officer who commanded the Connecticut troops which covered Prescott's left, and whose death a year later at Harlem Heights was not the least of the grievous losses sustained by the American army in the disastrous New York campaign of 1776. These events, and the addresses they called forth, revived the memory of two of the most interesting and important military operations in the struggle for American Independence, in both of which, also, "the omnipotence of Luck in matters of War" made itself felt in a way not to be overlooked.

And first of Bunker Hill. The affair of the 17th of June, 1775, on the peninsula of Charlestown, opposite Boston, affords, indeed, one of the most singular examples on record of what might be called the "balancing of blunders" between opposing sides, and of the accidental inuring of all those blunders to the advantage of one side. So far as the American, or what we call the patriot cause, was concerned, the operation ought to have resulted in irretrievable disaster, for on no correct military principle could it be defended; and yet, owing to the superior capacity for blundering of the British commanders, the movement was in its actual results a brilliant success; and, indeed, could hardly have been made more so had the Americans controlled for that occasion the movements of both sides, and so issued orders to their opponents. Looking over the accounts of that battle and examining the ground upon which it was fought, it is difficult to understand how the Americans could knowingly have put themselves in such an untenable position; much more how the British should so utterly have failed to take advantage of the mistakes of their inexperienced antagonists.

In 1775 Charlestown, including Breed's Hill, was a peninsula of limited size and hilly formation, connected with the mainland by a single narrow causeway, which was, at times of sufficiently high tide, itself overflowed. When, therefore, on the night of the 16th-17th of June, Colonel Prescott led his force across the causeway, and established it upon Breed's Hill, he put himself and those who followed him in a trap where, with an enemy having complete control of the sea, and so commanding his rear and both flanks, it was merely necessary to snap the door and hold him, utterly powerless either to escape or to resist. He had literally thrust his head into the Lion's mouth.

Consequently, when the guns of their ships woke up the British officers in Boston on the morning of the 17th of June, had there been any, even a moderate, degree of military capacity in their

commander, he would have ejaculated his fervent thanks to Heaven that his enemy had thus delivered himself into his hands ; and proceeded incontinently to "bag" him. To do this, it was only necessary for him to move a sufficient detachment round by water to the causeway connecting Charlestown with the mainland, seize it securely under cover of the fire of his ships and floating batteries, there establish himself, and quietly wait a few hours for the enemy to come down to surrender, or come out to be killed. To bring this result about he might not have been compelled to fire a single gun ; for his enemy had not even placed himself upon the summit of Bunker Hill, which overlooked and commanded Charlestown Neck, but had absolutely moved forward to the lower summit of Breed's Hill, between Bunker Hill and Boston, from which point, with a powerful and well-equipped enemy in undisputed control of the water, he would have been unable to escape and powerless to annoy. His position would have been much that of a rat when the door of a trap is securely sprung behind it. The only alternative to an ignominious surrender would have been a general engagement on open ground ; for, with his line of communication cut off, unable to advance, unable to retreat, and unable even to strike or worry his adversary, between whom and himself he had interposed Bunker Hill, the only course open to Prescott would have been the hurried abandonment of his redoubt ; and a scramble to get possession of the summit of Bunker Hill. Had he succeeded in doing that, the patriot army would still have been hopelessly cut in two, and mere starvation would within twenty-four hours have compelled the Americans to choose between surrender and an almost hopeless aggressive movement. In case of a general engagement, the patriots, a mere mob, must attack a well-armed and disciplined opponent, on ground of his own selection and protected by the guns of a fleet. Such an engagement, under the circumstances then existing, could, in all human probability, have had but one result. The patriot forces must have been routed and dispersed ; for, hardly more than a partially armed militia muster, they were without organization or discipline, only inadequately supplied with weapons, artillery, or munitions, and, except on Breed's Hill, unprotected even by field-works.

The untenable position into which the patriots had got themselves, and the course to pursue in dealing with them, were, from a military point of view, so obvious that, in the council of war that morning held in Boston, the proper military movement was at once urged, it is said, by a majority of the British officers with Clinton at their head. Instead of following it, a sufficient force of

British was sent across to Charlestown, landed directly in the face of their enemy, and proceeded to take the American intrenchments by assault; finally, after great loss, doing so, and absolutely driving the rat out of the trap, of which the British commander had left the door wide open.¹ A more singular exhibition of apparently unconscious temerity on one side, and professional military incapacity on the other, it would be difficult to imagine.

Under these circumstances, it becomes somewhat curious to consider the actuating causes of the operations on that day. Who was responsible for what occurred?

It is sometimes asserted that, so far as the Americans were concerned, their object was to force the fight with a view to firing the colonial heart, and that the result entirely justified the calculation. This may be true. Nevertheless, on the other side, it is apparent that, unless the American commanders calculated with absolute certainty upon the utter incapacity of their opponents, by the precise move then made they placed the cause which they had at heart in most imminent jeopardy, and came dangerously near quenching the so-called fire in the colonial heart in a sickening drench of irretrievable disaster; for if, instead of attacking the American line in front exactly at the point where it was prepared for attack and ready to resist, the British had operated by sea and land in their rear, it is difficult to see what could have saved the patriot cause from a complete collapse. If Colonel Prescott and his detachment had been obliged to surrender, and on the evening of June 17 had been ignominiously marched prisoners into Boston,

¹ As a matter of criticism from a military point of view, the facts and conclusions here set forth are so obvious that they must suggest themselves to any one on an examination of the maps, and much more if familiar with the ground. Yet in the extensive literature relating to Bunker Hill fight only here and there are passing references to be found. The subject is mentioned in an incidental sort of way, without apparent appreciation of the possible consequences involved, or the reflection implied upon those on either side responsible. Yet as long ago as August, 1789, Jeremy Belknap wrote: "I have lately been on the ground and surveyed it with my own eye, and I think it was a most hazardous and imprudent affair on both sides. Our people were extremely rash in taking so advanced a post without securing a retreat; and the British were equally rash in attacking them only in front, when they could so easily have taken them in the rear." (*Mass. Hist. Soc. Coll.*, Series V., Vol. III., p. 159.) Gordon in his history (Vol. II., p. 51) dwells upon it, using the correct phrase in the assertion that the British commander "might have entrapped the provincials by landing on the narrowest part of Charlestown Neck, under the fire of the floating batteries and ships of war." But, of the modern writers, Frothingham scarcely alludes to the subject in his text; while Devens, himself a soldier of experience, only refers to it incidentally and in a passing way (*Centennial Anniversary*, p. 87), and Carrington's criticism (*Battles of the American Revolution*, p. 113) is of the most meagre possible description. Bancroft devotes to it three lines. Fiske (*The American Revolution*, Vol. I., p. 138) states the case clearly and correctly.

it would only have remained for Gage, by a vigorous movement next day from Charlestown in the direction of Cambridge, only two miles away, to have dispersed the now demoralized patriot army and made any further organized armed resistance practically impossible. Even numerically the forces were very nearly equal. Beside the ships of war, General Gage could muster 8000 effectives operating on interior lines; while, with a force nominally 16,000 strong, General Ward could probably never have put 10,000 men in action. A general engagement was the one result the British commander ought on every consideration to have sought to bring about; while the American officers knew perfectly well that for a general engagement they were prepared in no single respect. Yet the occupation of Bunker Hill by the patriot forces meant, if met by the British with any degree of military skill, an immediate general engagement. It is quite out of the question to suppose that those who assumed to guide the patriot operations could have measured this risk, and then knowingly taken it. There are limits to any amount of rashness, except that of ignorance.

While the course which should have been pursued by the British commander was apparent, the theory on which the patriots acted is, thus, more difficult to explain. The movement on the night of June 16 had been decided upon at a council of civilians and military officers held that day at Cambridge. More than a month before, a joint committee of the council of war and the committee of safety had, after careful consideration of the ground, recommended the construction of a strong redoubt on Bunker Hill. At the same time, however, provision was to be made for apparently a simultaneous occupation of Winter, Prospect, and Plowed Hills on the other, or land, side of Charlestown Neck. This plan of operations is intelligible. If, at the same time that Bunker Hill was occupied, Prospect, Winter, and Plowed Hills also had been occupied, the patriot army would have commanded Charlestown Neck, and, by preventing a landing there and driving away the floating batteries, could have kept communication open between their army and the advanced and isolated force in occupation of the heights on the Charlestown peninsula. To do this successfully implied, it is true, the control of a body of artillery and munitions far in excess of what the provincial force had; but still, from a military point of view, the plan was well conceived, and, if successfully carried out, would have compelled an immediate evacuation of Boston by the British.

But, had this line of operation been pursued, it would have been quite needless to occupy Breed's Hill at the outset; seeing

that Breed's Hill was immediately in front of Bunker Hill and thirty-five feet lower, so that artillery posted on Bunker Hill commanded it completely. It could accordingly have been occupied at any time when a force in firm possession of Bunker Hill was ready to advance and take it.

If such was the general plan of operations under which Colonel Prescott's movement of the 16th of June was ordered, the next question is, — Who was responsible for its partial execution, and consequent failure? Its success involved two things: first, the seizing of Bunker Hill; and, secondly, and at the same time, the erection of works upon Prospect, Winter, and Plowed Hills, or the high ground at the base of those hills commanding Charles-town Neck and the adjacent water. It is impossible to ascertain conclusively whether any one was then in command of the left wing of the provincial army. If any one, it was Putnam. At the council of war he had strenuously advocated the forward movement to Bunker Hill; and, it is said, the same evening discussed with Knowlton, at the quarters of the latter, the reasons and details of the step. Knowlton was a natural soldier, and he at once, the same authority asserts, pointed out to the far from clear-headed Connecticut farmer metamorphosed into a general, that, if the proposed move was made, the enemy under cover of his floating batteries could land troops at the Neck, cutting off both reinforcements and retreat; that the approaches and flanks of the position could be enfiladed from the shipping; and, finally, that Gage could, by a judicious disposal of the land and naval forces at his command, compel the American force on the peninsula to surrender from mere starvation.¹

This excellent advice, if really given, seems to have been thrown away on Putnam, who during the following day was most active in all parts of the field, and seems to have been recognized in a way as the general officer in command of the entire field of operations, while unquestionably Colonel Prescott was in immediate charge of the detachment on Bunker Hill. He occupied the position of a brigadier-general whose command was in action; while Putnam held, in vague unmilitary fashion, the position of chief of the grand division of which Prescott's command for the time being was a part. Certainly, on the night succeeding the engagement, General Putnam was active in holding and fortifying Prospect Hill, and was then practically recognized as in a sort of irresponsible command of the left wing of Ward's army. If, therefore, any one was to blame for the failure to carry out that essential

¹ Historical Address of P. Henry Woodward at the Knowlton Ceremonial, p. 20.

part of the original plan of operations which included the fortification of the ground commanding Charlestown Neck from the land side, it was Putnam.

But the truth probably is that no one was responsible. The lack of organization in the patriot army was then such that no distinctive and recognized officer was in charge of the left wing. Prescott had his orders direct from the headquarters at Cambridge; and the other officers with separate New Hampshire or Connecticut commands seem throughout what took place to have taken orders, or declined to take them, pretty much as they saw fit.

It is, however, useless to venture surmises on this head. The essential fact is that Prescott was ordered to march across Charlestown Neck and to occupy Bunker Hill; and did so, leaving his rear wholly unprotected. After that, on his own responsibility, he exposed himself to great additional risk by advancing from the summit of Bunker Hill, from which he overlooked both Breed's Hill in his front, and his single line of retreat across Charlestown Neck in his rear, to the lower summit before him, at which point he was helplessly in the trap, unless his opponent, by coming at him in front, drove him bodily out of the hole in which he had put himself. His opponent did just that!

It was well for the patriot cause that both Gage and Howe outranked Clinton that day. When, in the morning, with the eye of a soldier, Clinton urged Gage to pay no attention to the patriot front, but to seize the causeway in its rear, Gage seems to have replied that to do so was not in accordance with correct military principles, as, by such a movement, his force engaged might be placed between two divisions of the enemy. In other words, the movement suggested might bring on the very thing he should most have sought to bring on,—a general engagement under cover of his ships. But this was not his real reason for acting as he did. Gage was, in fact, that not uncommon type of soldier familiarly known in military parlance as a "butt-head." As such, he, as a matter of course, fell into the dangerous error of underestimating his opponent; and, while he could urge an abstractly correct military principle, he had not the capacity to judge whether it had any application to the facts before him. So much for laboring with Gage in the morning.

But Clinton on that occasion seems to have had a hard day of it. Having failed to inspire Gage with a certain degree of intelligence in the early hours of the day, he, in its later hours, tried his hand on Howe. When, at last, about four o'clock of the long June afternoon, with several hours of daylight still before him,

Howe stormed the redoubt and drove Prescott's little force out of it and in pell-mell flight over Bunker Hill and across the causeway to the hills beyond, Clinton, again with the eye of a soldier to the situation, urged his superior in command to follow up his advantage, cross the causeway, and, then and there, smite and spare not.

The thing was perfectly practicable. The confusion in the patriot ranks was complete. In vain had Putnam tried to hold his own men, and rally the fugitives from the redoubt, in the partially finished works on Bunker Hill. He had been simply swept away in the panic rout. On the land side of Charlestown Neck the patriots had no works thrown up behind which they might hope to rally. Cambridge and headquarters were only two miles away. They had challenged the blow; and the blow was impending. Fortunately for the patriots and the patriot cause, Howe, and not Clinton, was now in immediate command of the king's troops. Howe, though personally brave, was as incompetent as Gage, and, if possible, a little slower; and so he wholly failed to grasp the opportunity which Clinton saw and pointed out to him.

The singular thing, however, in all these operations, as already pointed out, is that, from beginning to end, if the patriot army had been commanded by a military genius of the highest order, and gifted with absolute prescience,—having, moreover, the power to issue commands to both sides,—he could not, so far as the Americans were concerned, have bettered the course of events. The whole purpose of the move was to forestall the proposed operations of the British, who planned on the 18th, only a day later, to occupy Bunker Hill and Dorchester Heights, preliminary to an advance on the patriot lines at Cambridge. It was intended to draw their fire. If, in doing this, Prescott had, in obedience to his orders, and as technically he unquestionably should have done, contented himself with seizing Bunker Hill and there intrenching, it can hardly be questioned that the British would then have landed on Charlestown Neck, immediately in his rear, and forced him to retreat precipitately as the alternative to surrender. His very reckless audacity in moving forward to Breed's Hill led to their attacking him squarely in front.

Had Prescott directed the assaulting column, he would have ordered it to do just that. But his good fortune did not stop here. Twice he repulsed the attacking force, inflicting terrible loss upon it; and this is his great claim for credit on that memorable day. Prescott was evidently a fighter. He showed this by his forward midnight move from Bunker to Breed's Hill; and he showed it

still more by the way in which he kept a levy of raw ploughmen steady there during the trying hours that preceded conflict; and then, in face of the advancing line of regulars, made them hold their fire until he gave the word. This was superb,—it deserves unstinted praise. Again the luck of the Americans soared in the ascendant. Under the exact conditions in which they then found themselves, they had chanced on the right man in the right place,—and it was one chance in a thousand.

And then followed yet more good luck,—indeed, a crowning stroke. Twice did Prescott repulse his enemy. Had he done so a third time, he would have won a victory, held his position, and, the next day, in all human probability, the force which relieved him would have been compelled to surrender, because of properly conducted operations in its rear under cover of the British fleet. For it is impossible to suppose that Clinton's advice would not then have been followed; and had it been followed, with Clinton in charge of operations in the field, a result not unusual in warfare would no doubt have been witnessed,—the temporary and partial success of one day would have been converted into the irretrievable disaster of the succeeding day. It was so with Napoleon himself at Ligny and Waterloo.

Fortunately for Prescott and the patriot cause, the ammunition within the Bunker Hill redoubt was pretty much consumed before the third assault was made; and so his adversaries drove the patriot commander out of his trap and into the arms of his own friends. In spite of himself Prescott was saved from ultimate disaster. Yet, curiously enough, he does not even then seem to have realized his luck; for, instead of going back to the headquarters of General Ward, as well he might have gone, in a towering rage over the incompetence which had put him and his command in such a position, without reason or support,—a position from which he had escaped only by a chance in a thousand;—in place of taking this view of the matter, he actually offered, if a fresh force of 1500 were put under his command, to recross Charlestown Neck and recapture Bunker Hill the next day,—in other words, to go back into the trap from which the stupidity of his opponents had forcibly driven him!

The original plan of operations matured by the Cambridge council, including as it did the simultaneous occupation of both Prospect and Bunker Hills, was, therefore, bold, well-conceived, calculated to produce the results desired, and entirely practicable; assuming always that the patriot army had the necessary artillery and ammunition to equip and defend the works it was proposed

to construct. Such was not the case; but, doubtless, under the circumstances, something had to be risked.

This plan, thoroughly good as a mere plan, was, however, executed in part only, and in such a way as to expose the provincial army and cause to disaster of the worst kind. And yet, through the chances of war, — the pure luck of the patriots, — every oversight of which they were guilty, every blunder they committed, worked to their advantage, and contributed to the success of their operations! They completely drew the British fire and forestalled the contemplated offensive operations, throwing the enemy on the defensive; they inspired the American militia with confidence in themselves, filling them with an aggressive spirit; they fired the continental ardor; and, finally, the force engaged was extricated from a false and impossible position, after inflicting severe punishment on their opponents. For that particular occasion and under the circumstances, Cromwell or Frederick or Napoleon in command would probably have accomplished less; for, with the means at disposal, they never would have dared to take such risks, nor would they ever have thrust themselves into such an utterly untenable position.

To penetrate the mind and plan of an opponent, — to pluck out the heart of his counsel and to make dispositions accordingly, — has ever been dwelt upon as one of the chief attributes of the highest military genius; — Hannibal, Cæsar, Gustavus, Marlborough, Frederick, Napoleon, all possessed it in a noticeable degree. Possibly, General Ward and Colonel Prescott may instinctively have acted in obedience to this rarest military quality on the 16th and 17th of June, 1775. If so, they certainly developed a capacity for which the world has not since given them credit; and the immediate results justified to the fullest extent their apparently almost child-like reliance on the combined professional incapacity and British bull-headedness of General Thomas Gage. Fourteen months later, as will hereafter be seen, Ward's more famous successor got himself and his army into a position on Long Island scarcely less false and difficult than Prescott's at Bunker Hill.¹ He, also, was then saved from irretrievable disaster through sheer good luck, happily combined with his opponent's incompetence. In this case, however, Fortune did not, as at Bunker Hill, positively shower its favors on the patriot cause.

Yet in one respect the battle of Bunker Hill was, in reality, epochal. Prescott did not occupy Breed's Hill and begin to throw up his intrenchments until nearly midnight on the 16th–17th of

¹ *Narrative and Critical History of America*, Vol. VI., p. 290.

June. Thus his men had but about four hours in which to work before the break of day disclosed their whereabouts. Yet when, less than twelve hours later, the British stormed the field-works, they were amazed at their extent and completeness, and could not believe that they had all been thrown up in a single summer's night. It was something new in warfare.

There can be few things more instructive and suggestive, from a military point of view, than a visit to the battle-fields of Waterloo and Sedan, passing rapidly from the former to the latter. To one whose impressions of active warfare and military field methods are drawn from campaigns in Virginia, now thirty years ago, it is not easy, while surveying the scenes of the battles of 1815 and 1870, to understand what the English in the one case and the French in the other were doing in the hours which preceded the engagements. In the Virginia campaigns nothing was of more ordinary observation than the strength and perfect character of the intrenchments which both armies habitually threw up. Such skill in the alignment and construction of these works did the common rank and file of the armies acquire, that a few hours always sufficed to transform an ordinary bivouac into a well-protected camp. In the case of Waterloo, the Duke of Wellington had days and even weeks before selected it as his battle-ground; he had even caused a topographical survey to be made of it; he arrived there from Quatre Bras twenty hours before the battle of Waterloo began; he made all his dispositions at his leisure. Yet not a spadeful of dirt seems to have been thrown; and the next day, while his line was exposed to the fury of Napoleon's famous artillery, the French cavalry rode unobstructed in and out among the English squares.

It seems to have been the same, more than half a century later, at Sedan. Strategically, the French were there in almost as false a position as the Americans at Bunker Hill. They were in a hole, — rats in a trap. Tactically, their position was by no means bad. The ancient fortifications of Sedan secured and covered their centre; while their two wings were free to operate on the high grounds behind, sloping sharply to the river. They occupied the inside of a curve, with perfect facilities for the concentration of force by interior lines. A better opportunity, so far as the character of the ground and country was concerned, for the rapid throwing up of intrenchments and field-works could not have been desired. As at Waterloo, the facilities were everywhere. McMahon's army, when surprised and cornered in Sedan, was, it is true, on its march to Metz, and all was in confusion. But they

had twelve hours' notice of what was impending, and they fought on the ground on which they had slept. Yet, again, not a spadeful of dirt seems to have been thrown. What were the French thinking of or doing all those hours?

Judging by the record of Bunker Hill, and recollections of what was habitually done ninety years later in Virginia, if an army of either Federals or Confederates, as developed in 1865, had held the ground of the British at Waterloo or the French at Sedan, the lines and intrenchments which on the days of battle would have confronted Napoleon and Von Moltke could hardly have failed to give them pause. Before those temporary works they would have seen their advancing columns melt away, as did Gage at Bunker Hill, Pakenham at New Orleans, and Lee at Gettysburg.

The simple fact seems to have been, that, until the modern magazine gun made it an absolute necessity, digging was never considered a part of the soldier's training. Indeed, it was looked upon as demoralizing. In the same way, the art of designing temporary field-works and camp intrenchments was not regarded as belonging to the regimental officer's functions. The famous lines of Torres Vedras showed that Wellington knew well how to avail himself of defensive works; but they were laid out on a large scale and on scientific principles. Mere temporary field-works and improvised protections seem to have been contemptuously looked down upon as a branch of irregular warfare or Indian fighting. It was something unprofessional, and which savored of cowardice. Often, during the Confederate rebellion, old West Point graduates, high in rank, but somewhat hide-bound, might be heard lamenting in the same spirit over the ever-growing tendency of the armies to protect themselves by intrenchments wherever they camped. It made soldiers cowardly. As the military martinets expressed it, they wanted the rank and file to be made "to stand up and fight, man-fashion." How often, in the olden days, was that expression used! Yet their idea of fighting was apparently that of Wellington at Waterloo, and of McMahon at Sedan. At either of those places our veterans of 1865, Federals or Confederates, would have protected themselves with field-works, though only bayonets were to be had for picks, and tin dippers for shovels.

Putnam, therefore, showed a very profound insight when, on the eve of Bunker Hill, he remarked that, as a soldier, the Yankee was peculiar. He didn't seem to care much, the Connecticut general said, about his head, but he was dreadfully afraid of his shins; cover him half-leg high, and you could depend on him to

fight. The fact seems to be that, as a fighting animal, the Yankee is unquestionably observant. Breastworks are in battle handy to the assailed; and he saw at once that breastworks admit of rapid and easy construction to men accustomed to the use of shovel and pick. Prescott taught that lesson on the 17th of June, 1775. He did not realize it, and apparently it took almost a century for the professional soldier to master the fact thoroughly; but those light, temporary earthworks scientifically thrown up on Bunker Hill in the closing hours of a single June night introduced a new element into the defensive tactics of the battle-field. Its final demonstration was at Plevna, a whole century later.

CHARLES FRANCIS ADAMS.

THE BOHUN¹ WILLS

MANY a place in France has given its name to an English family of distinction ; it was left to a town² in the northwest of Normandy, in the arrondissement of St. Lo, to give its name to a family which flourished in England for three hundred years, and not merely flourished, but proved its capacity for leadership by steadily stretching to the front when matched with all the baronage of the kingdom, until at last it reached a stage from which it disappeared in royalty itself. Other houses have surpassed it at times ; few have equalled it in long-sustained eminence and power ; few, if any, have had so great a part in the making of England.

Humphrey de Bohun, 'with the beard,'³ a kinsman of the Conqueror,⁴ and with him on the field of Senlac, received, it is true, but scant reward for his services, the single lordship of Taterford in Norfolk.⁵ But he was already getting on in years, and infirmity may have prevented him from performing vigorous service. Wace, the *trouveur*, calls him

'de Bohon le vieil Onfrei,'

and that is the only stated fact on which a reason for the smallness

¹ Probably pronounced 'Boon.' The 'h' is often omitted in early times, thus 'Boon,' 'Boun,' 'Bown,' and 'Buun.' See also Addison, *Spectator*, No. 60. But the family spelling was 'Bohun.' See, besides the wills, the facsimile seal, *post*, p. 426. The name should not be confounded with 'Bowen' (= 'ap Owen').

² Of two villages and parishes lying near together and distinguished by the names of their parish saints, St. George de Bohon and St. André de Bohon.

³ At the time of the Conquest the Normans generally shaved off the beard. Those who did not were accordingly marked men, so much so that 'with the beard' was fairly part of the name. The Bayeux tapestry shows that the back of the head as well as the face was shaved. Wace tells us that one of Harold's spies reported William's soldiers an army of priests; they could chant masses, for all were shaven and shorn, not even having moustaches left; chap. xiv. *sub fin.*; Taylor, p. 147. But the fashion changed soon after the Conquest, and the Conqueror himself is represented in a drawing in a MS. of William, Abbot of Jumièges, as wearing a short beard and moustache. A copy of the drawing is given in Fairholt's *Costume in England*, I. 68, 3d ed. See also the first cut in Sandford's *Genealogical History*, the seal of the Conqueror.

⁴ 'Dominus Humfredus de Bohun, cum barba, qui prius venit cum Willielmo Conquestore in Angliam de Normannia, cognatus dicti Conquestoris,' etc. *Chron. Lanthony, Monasticon*, VI. 134.

⁵ *Doomsday*, II. 262. Under Rufus, however, he held an extensive barony in Wiltshire. Stapleton's *Norman Exchequer*, II. xxiii.; *Doomsday for Norfolk*, Munford, 50.

of the gift can be based.¹ Whatever the reason for this, honors were to fall to his son; Humphrey the Second became Humphrey the Great. He enjoyed the Red King's favor; more than that, the king's 'wish and command' gave him the hand of a lady of great wealth as well as of rank, Maud, the only daughter of Edmund of Salisbury.² That alliance laid the foundation of what came to be perhaps the greatest fortune in the peerage of England.³ It was the first of a series of brilliant alliances, which, after adding fortune to fortune, brought in marriage with the head of the house, at the beginning of the fourteenth century, a daughter of the greatest of the Plantagenet kings, and before the century was yet old made one daughter of the Bohuns the wife of a brother of the Black Prince, and another the mother of King Henry the Fifth. Humphrey de Bohun, fourth Earl of Hereford and third Earl of Essex of the name, 'the most distinguished nobleman in the kingdom,'⁴ married Elizabeth, daughter of Edward the First;⁵ Eleanor de Bohun, elder of the daughters, and, in default of sons, co-heiress of the last of the Bohun earls and the only one to become possessed of the three earldoms of Hereford, Essex, and Northampton,⁶ became the wife

¹ Many other tenants in chief received no more. Wace expressly states that 'the old Humphrey' was in the fight at Senlac, or Hastings as it is commonly called. It is fair to surmise that the Conqueror's preferences were not capricious — that it was safe and desirable to bestow manors upon some by the hundreds, while to withhold from others, whether because of their power and ability, or of their weakness, was but the part of prudence.

² *Chron. Lanthony*. The chronicler also says: 'Cum qua Matilda [*i.e.* Maud] pater suus donavit dicto Humfrido in liberum maritagium omnia terras et tenementa sua quae fuerunt ex perquisitione dicti Edwardi, viz. Weston juxta Salesbury, et Walton, Newenton, Pryton, Stauntone, Trobrege, et unum messuagium in Salesbury juxta portam orientalem, et advocationem ecclesiae S. Crucis.'

³ The Duchess of Cleveland has told the story, in a picturesque way, of several of these alliances. *Roll of Battle Abbey*, I. 72. The main authority is the *Chron. of Lanthony*, though Dugdale's *Baronage* is almost the only one cited.

⁴ This is a quotation by the Duchess of Cleveland (*Roll of Battle Abbey*, I. 74), apparently from the notes of Nicolas to his edition of the Anglo-French poem, *The Siege of Carlaverock* (1300), p. 119. The actual words of Nicolas are: 'By birth, titles, possessions, and alliance, this nobleman was perhaps the most distinguished of his age.'

⁵ She was the young widow of John, Earl of Holland. Now, at her second marriage, five years after the first, she was but nineteen. The mothers of Bohun and the princess were cousins, and King Edward himself procured a dispensation from the Pope for the marriage. The dispensation recites that the king desired it that the marriage might 'allay and blot from remembrance' the discords and dissensions which had grown out of the resistance to the king, in 1297 (referred to in a later note), of Bohun's father, the late earl. The Pope added the hope that, in this alliance, the evils would be 'pulled up by the roots.' *Fœdera*, I. part iv. 17.

⁶ Humphrey, who died in 1373. His will is in the collection, *post*. He was son and heir of William de Bohun, Earl of Northampton. William had been a distinguished commander of long service in the French and Scotch wars of Edward the Third. Cousin

of Thomas of Woodstock, Duke of Gloucester, the youngest son of Edward the Third, and himself too near a king for the happiness of Richard the Second, his nephew;¹ Mary de Bohun, the younger sister, was married to Henry Bolingbroke, afterwards King Henry the Fourth, though she did not live to see the day.²

The great military office of Constable of England — Blackstone and other writers think to magnify the post by calling the incumbent Lord High Constable of England — was hereditary with the Earls of Hereford, and never but once³ passed out of their hands; for the appointment of Thomas de Berkeley in the summer of 1297, on the refusal of Bohun as constable (and of Roger Bigot as marshal) to execute the king's mandate in aid of his wars in Flanders and in Gascony, was only a makeshift for the occasion. The king did not, however disposed, deprive Bohun of his office — an office which of course Bohun, and all the rest who held it, held of the Crown;⁴ he merely put Berkeley in his place to serve in an expedition which Bohun refused to join. The patriot Earl of Hereford remained Constable of England all the time,⁵ and a few

to the king and throughout close to him in counsel, he had been created Earl of Northampton in 1337, when the Black Prince was made Duke (the first creation of that title in England) of Cornwall; in 1345 he was made Captain-general and regent (the king's *locum tenens*) for overcoming revolt in Brittany, representing his own king as King of France. For his commission, see *Fœdera*, II. part iv. 175. He held many other important commissions and posts of peculiar trust under the king. His son Humphrey succeeded him as Earl of Northampton in 1360, and a year later succeeded also his bachelor uncle — whose will appears *post* — as Earl of Hereford and Essex. Father and uncle were sons of the Humphrey who had married the Princess Elizabeth; two sons of that marriage being earls at the same time.

¹ Thomas of Woodstock had put himself at the head of a regency in 1386, which lasted for three years and made him virtual king for the time. It was at that time, and probably because of the regency, that Chaucer lost his lucrative posts of Comptroller of Wool and Comptroller of Petty Customs. Chaucer's patron, John of Gaunt, brother of Thomas of Woodstock, was now in Spain; he returned in 1389, and the old order being restored, Chaucer received the office of Clerk of the King's Works, with a moderate salary. See Skeat's *Student's Chaucer*, Introduction.

² Eleanor barely lived to see her sister's husband dethrone and take the place of the (instigating) murderer of her own husband. It must have lighted up for a moment the gloom of a bitter widowhood, despite the later attitude of Henry Bolingbroke towards her husband. The reader will note the pathetic euphemism in Eleanor's will, the last of the series, *post*, in the reference to the last 'sickness' of her husband.

The Duchess of Cleveland makes a slip — who is exempt in such matters? — in saying that Mary became queen.

³ See *Rot. Pat.* 5 Edw. II. 1, m. 19, cited in Dugdale's *Baronage*, I. 183, where *restitution* of the constableness to the Earl of Hereford is mentioned. It was a mere temporary matter, whatever the occasion.

⁴ *Fœdera*, III. part iii. 52. It is noticeable that the king's threats of forfeiture went only 'as far as he had power' to declare forfeiture, in many of the cases in the *Fœdera*.

⁵ Both Bohun and Bigot are directly afterwards described by their title, as if nothing

months later was again in active office with the king, leading his forces to victory over Wallace at Falkirk.

The earldom of Hereford, with the baronies of Brecknock and other regions west of the Severn, made the Bohuns also earls of the marches 'in the parts of Wales.' There, as Lords Marchers, they had their own palatine courts, officers, and process; there they could and did say, 'No writ of the king runs here.'¹ In fact they performed the functions pertaining to the title, not in use in England until 1385, of marquis,² for the marquise was but an earldom of the march, in origin and etymology.

But the Bohuns have other title to fame than wealth, and splendid alliances, and posts of honor not for other men. In nearly every great event of their day in the political and constitutional history of England the family bore a conspicuous and worthy part. Henry de Bohun, first Earl of Hereford (properly) of the Bohun name, to begin no earlier, was one of the seven earls elected guardians of Magna Charta (1215); he was then but forty years of age.³ Humphrey de Bohun, his son, the second earl, acted a spirited part in the unsuccessful attempt to compel King Henry, on coming of age in 1227, to renew Magna Charta and the Charter of the Forest, and was one of the most active leaders against foreign favorites at court before, and in bringing to pass and administering, the Provisions of Oxford (1258);⁴ meantime gaining

had happened; and that not merely by themselves and their adherents, but by the Prince of Wales as regent, in letters patent of October 10, 1297 (*Parl. Writs*, I. 61), and shortly afterwards by the king. 'Remittimus,' the king is made to say in the bill of complaint sent to him and agreed to, 'Humfrido de Bohun, Comiti Herefordiae et Estsexiae, Constabulario Angliae, et Rogero Bigot, Comiti Northfolciae, Marescallo Angliae, rancorem nostrum,' etc. Walsingham, in Camden, 73. See also the king's formal pardon of the earls' disobedience, November 5, 1297, in Blackstone's *Tracts*, 342, note; also a writ addressed to Roger Bigot, Earl of Norfolk and 'Marshal of England,' September 9, 1297, before the king had crossed to Flanders.

The constablership was, however, twice transferred to a younger member of the family, by reason of bodily infirmity in the Earl of Hereford; once, in 1275, to the coming heir, and again, in 1338, for life, to William, Earl of Northampton, brother of the incumbent. Once or twice the office was, for convenience, deputed temporarily to another member of the family, as in 1282, when the earl was in Wales.

¹ *Rot. Parl.* II. 90 (1335). Here the Earl of Hereford and others complained of infringement of franchise by the king's officers, and made out a presumptive case. Humphrey de Bohun, son-in-law of Edward the First, was also made joint warden of the marches towards Scotland in 1309.

² Robert de Vere, Earl of Oxford, was the first English marquis, created such in the year 1385, twelve years after the death of the last Earl of Hereford.

³ He entered the crusades in 1220, and died June 1 of that year on his way to the Holy Land.

⁴ Matt. Paris, anno 1259 (III. 326, Giles), where Bohun upbraids the Earl of Gloucester for faithlessness to the Provisions, may be noticed.

the name of the Good Earl for his sturdy opposition to the misrule of the king.¹ Humphrey de Bohun, the third earl,² grandson of the last named, together with Roger Bigot, Earl of Norfolk and Marshal of England, resisted arbitrary taxation in 1297 — on the 7th of July — with unequalled courage and success, against the masterful will of Edward the First, and won the distinction of compelling the royal assent to certain strenuous additions to Magna Charta, which breathed life for all time into the dead letter of the Charter against taxation without consent of the tax-payer.³ The next Humphrey, the fourth earl, son of the third and to become son-in-law of Edward the First, was one of the twenty-one Lords Ordainers of Reform 'of the king's house and kingdom,' under the drastic ordinances of 1310 and 1311; who, after doing his part, with the Earls of Lancaster and Warwick, in putting an end to the career of the king's mischievous favorite, Gavaston of the biting tongue, fell in battle at Boroughbridge, March 16, 1322, in the determined uprising to rid the kingdom of the intolerable arrogance

¹ He was present also in Westminster Hall in 1253, when the curse was denounced with bell, book, and candle against all violators of the Great Charter. Matt. Paris, anno 1253; Dugdale's *Baronage*, I. 180. He was heartily with Simon de Montfort throughout the great struggle for better government, until the very last, when he was induced by the coming king, Prince Edward, with many others, to believe that with him their cause would be gained, as indeed it was. In consequence the earl and his eldest son, Humphrey, Junior, were on opposite sides at Lewes (1264) and at Evesham (1265). The earl died in 1275, of old age.

² His father, Humphrey, Junior, just mentioned, was one of the patriots in the same troubles. He was a commander of the foot at Lewes and at Evesham, but was taken prisoner at Evesham and died in custody in Beeston castle a few weeks later, in the lifetime of his father, the Good Earl. He is represented as a spirited leader; but it has been stated that at Evesham he 'withdrew.' Dugdale's *Baronage*, I. 181. Probably Evesham is confused with Lewes, where the Earl of Warren and Hugh Bigot 'withdrew.' There is nothing in Hemingburgh, I. 323-325, copied by Knyghton in Twysden, 2453, about any withdrawal by Bohun.

³ After Runnemede, there is no more memorable page in English history than that which tells of the conduct of the two earls in that great affair. In a stormy scene in which the king vainly threatened hanging, Bohun and Bigot both refused to lead their men to the foreign wars. Both flatly refused to exercise their offices in enforcing the king's mandate for enrolment of horse for the wars, sending a letter to the king, by night, in language cold and haughty, such as no one else would have dared. 'Chere Sire,' they begin, and then, after reciting the royal mandate, proceed, 'Vous prirent vostre Conestable e vostre Mareschal qe cestre chose voussisiez commaunder a autre de vostre hostel.' *Fœdera*, I. part iii. 185. The king called a council, and, as the result, appointed Berkeley and Gyneville in place of Bohun and Bigot. The refusal of the earls was based upon the king's arbitrary measures of raising supplies.

The king now set out from London with such following as he could obtain, and after tarrying for some weeks at Winchelsea, sailed in October for Flanders, having left the young Prince of Wales in London as regent. Meantime the Scots had arisen under Wallace and were now harrying the north; the Council in alarm asked the prince to send for Bohun and Bigot, which was done. The earls returned — with 1500 horse and a

of the later Despencers.¹ He was then about forty-six years of age.²

Surely, the great traditions of this princely family were well sustained.

Surely, too, the private no less than the public life of such a family is worth rescuing from oblivion. Indeed, a double interest arises in such a case, a desire to know as much as possible of the individuals themselves on their own account, and a desire to know through them the manner of life in general of men who had the shaping of England before the age of printing and of gunpowder.³ How the Earls of Hereford and their families lived and fared, what

multitude of foot — and made their own terms of peace, which Parliament adopted and the Prince of Wales accepted and sent to the king; demanding certain additions to Magna Charta on the subject of taxation, and remission to themselves and all their adherents of ‘rancour and indignation.’ The king grudgingly fixed his seal to the document. It runs thus: ‘Articuli adjecti ad Magnam Cartam sunt isti: Nullum tallagium vel auxilium per nos vel haeredes nostros de caetero in regno nostro imponetur seu levetur sine voluntate et assensu communi archiepiscoporum, episcoporum, abbatum, et aliorum praelatorum, comitum, baronum, militum, burgensium, et aliorum liberorum hominum.’ Specific provisions follow. Walsingham, in Camden, 73. See also Dugdale’s *Baronage*, I. 182, 183. Compare Magna Charta, cc. 12, 14 (John).

Bohun’s career ended with the victory at Falkirk. He died November 30, 1298, in the forty-ninth year of his age.

¹ The feeling against the king’s new favorites ‘Hugh and Hugh, father and son,’ is shown by the old historian Thomas de la Moor. Hatred and envy, he says, flamed out against them. The nobles were furious; and the Earl of Hereford, who led revolt in the West, laid waste the lands of the elder Hugh and made booty of his goods. Camden, 595.

The earl was run through the groin and killed with a lance thrust by a soldier lurking under the bridge upon which Bohun and his men were fighting.

² On his person was found the counterpart-writing of a league between Lancaster and himself on the one side, and Robert Bruce, King of Scots, on the other, for mutual support in the existing troubles, and, these ended, for establishing firm peace between England and Scotland. *Fœdera*, II. part ii. 40. The king found this to his purpose in the trial of Lancaster, which soon followed. He could now heap upon the dead as well as the living — since they had failed of success — with double effect the name of traitor, and a subservient Parliament of his followers could readily make good the charge. But the king’s triumph was short-lived. Proscription ceased; the living participants in the struggle, and the heirs of the dead, received their patrimony (*Fœdera*, II. part ii. 177, 1 Edw. III. — 1327); Lancaster became a martyr, and men made offerings at his tomb. See *post*, sixth page of next and concluding instalment.

It is curious that the Earl of Hereford had been taken prisoner by Bruce after Bannockburn — the battle itself began by single combat between a Bohun and Bruce — and that he was exchanged for Bruce’s wife, who had long been a prisoner in the hands of the English, and had been under Bohun’s own control. *Fœdera*, II. part i. 72; Dugdale’s *Baronage*, I. 182. Further, Bruce’s lordship of Annandale in Scotland, wrested from him by Edward the First, had in 1306 been given by the king to Bohun. *Rot. Cart.* 34 Edw. I. n. 33; Dugdale, *ut supra*.

³ The later Bohuns knew something of gunpowder, but not much. William, Earl of Northampton, commanded the second line at Crecy.

their halls and homes contained, what their household consisted of, what their religion was to them — to know all that, and so to know how others like them lived and fared, cannot fail to be instructive to those who would know the past in its entirety.

The documents following throw light upon such matters; and the value of these documents is increased by the fact that they are a continuous series of pictures of one family through four generations, practically covering the fourteenth century. Wills of the fourteenth century in great numbers have been printed, but it would be difficult to match the present series of documents with another of equal interest pertaining to any one great family of the time. Want of space forbids detailed illustration of the value of these instruments; but one instance in point must not be passed by, lest the reader should overlook it. In these as in many other wills of early times gifts of illuminated books frequently occur; a fact to be borne in mind in taking account of the state of civilization among laymen of rank. But the will of the last Earl of Hereford tells of something more. It reveals the existence of illuminators ('luminours,' limners) of manuscripts, or rather books, as members of the testator's household. Two are mentioned, one of them as 'our illuminator.' This is a very interesting addition to our stock of knowledge, first in regard to the family itself, which is known to have cultivated letters, and then in its suggestiveness touching other families of the time, of wealth and literary tastes. In the light of this information how interesting becomes the frequent mention of books richly illuminated; how interesting especially the description in the will of the Duchess of Gloucester of the psalter she leaves to her son Humphrey. It is 'a psalter well and richly illuminated, with gold clasps enamelled with white swans' — the swan was the Bohun badge — 'and the arms of my lord and father enamelled on the clasps, and bars of gold with work in form of mullets, which psalter was given to me to remain to my heirs, and so from heir to heir.' Every touch in this description serves to identify it as a Bohun work of art, and one, in view of what the preceding will discloses, probably done by 'our illuminator' of Plessy Castle.

The usefulness of a painstaking, annotated translation of such documents as these will be manifest to any one who for the first time undertakes to read a will written in Old French. A reading knowledge of the language would indeed enable one to get a tolerably correct general idea of a will of the time, but to understand thoroughly such a document, of any length, requires some familiarity with early wills. Not that, in the fourteenth century, wills had

come to be full of technical terms as they are apt to be now, though occasionally technical terms do occur in them, but that they contain terms that did not find their way into books that are read,¹ and so have not found their way into the general glossaries. Some of these words indeed are not to be found anywhere except in wills or other official documents. To know the meaning of such words one must become familiar with parallel or similar passages in other instruments or records. Who, for instance, however familiar with Anglo-French literature but with that only, would hit upon the meaning of such a word as 'tixt' in the third of these documents? And then there are words to be found only in special glossaries — glossaries of particular books which are unknown to all but a few.

The translation here given is a literal one, French words in general being retained in their native state, but in English dress, where they have been adopted into English. Thus, 'gipeaux' becomes 'gipons,' Chaucer's 'gipoun,' rather than 'pourpoint' or 'jupon' of later times; 'gipon' being still an English if unusual word. So 'mors' becomes 'morse,' rather than buckle or clasp, and thus retains its identity, as distinguished from 'fermail,' which also appears in its own form. But this has not been made a hard and fast rule. Two words are treated in another way, 'deviser' and 'ordeigner.' The first of these words was seldom if ever used in wills written in English until after the time of the wills here printed. Used alike of lands² and of chattels in wills in Anglo-French, and later in wills in English, the word still retained its primitive and colorless meaning. Its contemporaneous (as well as present) equivalent, in the sense of *give*, is found exactly in etymology and current meaning in 'bequeath,' by which word, unchanged as it is in signification, it is therefore uniformly translated.³ In regard to 'ordeigner,' to have turned that word into 'ordain,' though that was done constantly in writing wills in English, would have been to give the word a very antiquated sense.⁴ It has been translated 'appoint.'

¹ Furnivall, speaking of the wills of medieval England, says: 'They use words not found in books.' Preface to *Fifty Earliest Eng. Wills*.

² Wills of land are occasionally met with at this time, notwithstanding the feudal law.

³ When used in the sense of *desire*, the word is translated 'will,' for that would be its legal meaning. Another etymological equivalent found occasionally in English-written wills of the fifteenth century is 'bewit.' 'I bewit my gold ryng with the diamond to hyng about the nek of the ymage of our Lady. . . . Also I bewit another ryng with a ruby and one turcos to hyng aboute our Lady's nek,' etc. John Carr's Will, *York Wills*, IV. 27 (1487).

Besides 'bequeath,' the words 'give' and 'will' are constantly used, as might be expected, in English-written wills of the fourteenth century.

⁴ *E.g.* 'I ordain so and so as my executors.'

It has been necessary to leave a few words untranslated; their meaning could not be made out.

Five wills and an inventory are here translated. The text in the original is the printed copy in the *Archæological Journal* for the first will, and that of Nicolas, in *Royal Wills*, for the three following. The original of the will of Margaret, Countess of Devon, has never been printed; a fresh copy has been obtained for translation from the Public Record Office, London. The copy of the inventory, one of the most interesting documents of the time, is also a fresh one from the same source.¹

Explanatory notes are given once for all upon the first occasion.

I

Will of Humphrey de Bohun, fourth Earl of Hereford of the name. Born in 1176; married Elizabeth Plantagenet, next to the youngest daughter of Edward the First, November 25, 1302; killed in battle at Boroughbridge, March 16, 1321-2. *Archæological Journal*, II. 346 (1845), for the original.

In the name of the Father, Son, and Holy Ghost, I, Humphrey de Bohun, Earl of Hereford and Essex, in good memory and understanding, make my last will in the manner following. First, I bequeath my soul to our Lord Jesus Christ, who suffered death on the cross for me and for all sinners, and to the benign Virgin Mary, his blessed mother, and to all the saints of Paradise, and my body to be buried in the Church of our very sweet Lady of Walden, near the body of Elizabeth, my late wife.² Likewise, I will that all my debts be fully paid and acquitted, and what is wanting of the will of my wife, I wish that it be performed in all things.³ Likewise, I bequeath for the carrying of my body from the place where I may die to the Abbey of Walden,⁴ and for the giving of alms, and for my burial, and for provision for the leave-taking at my burial,⁵ and for all other

¹ Both were furnished by and testify to the care of Messrs. Hardy and Page (each F. S. A.), Record Agents, Lincoln's Inn. The copy of the inventory in the *Archæological Journal* is confessedly incomplete; the one here translated is in full.

² The word here and elsewhere translated 'wife,' is 'companion.' The testator's wish as to his burial was not carried out. It probably was not known to those who took charge of his remains, as he had been killed in battle. He was buried in the Church of Black Friars, at York.

³ Two things will be noticed, a will by a married woman, and the unexecuted part of the same committed by the executor of it, by will, to his own executors. See also the will of Richard, Earl of Arundel, *Royal Wills*, 130, 136. The testator's wife was living in 1315, four years before.

⁴ Of which the earls of Hereford were patrons. It was in Essex; the place is now called Audley End.

⁵ That is, for entertaining the company present; the wake.

things which pertain to the same, 1000 marks,¹ charging my executors that the bodies of my father, my mother, and my wife be as honorably covered as my body,² and that over all our bodies there shall be but one herce of one course of lights.³ Likewise, I bequeath to my lord the king⁴ a pot and a cup of gold⁵ which my wife bequeathed to me. Item, to Sir⁶ Bartholomew de Badlesmere the black charger⁷ which I brought from beyond the sea. And for that my lord the king of his own good will has granted me by his letters patent the half of the issues of all my land from the day that God shall have done his will concerning me⁸ until the full age of my heir,⁹

¹ The equivalent to-day of something like \$150,000. See comparisons below.

² That is, equally honored with rich hangings, in the abbey.

³ The herce was a frame (commonly of wood-work, sometimes beautifully carved and ornamented) placed over the body while lying in state. It was often hung, in the case of great people, with tapestry or other rich cloths, while around the top lights were placed. In this case, the direction appears to have been that the testator's body should be put beside the tombs of his wife and his father, and that a herce should be constructed to cover them all.

⁴ Edward the Second, his brother-in-law.

⁵ One cannot feel quite sure whether the qualifying word 'dor' here, and 'dargent' elsewhere, applies to both of two objects named or to the second only; hence the very form of the expression in the original has been followed in such places in the translation. Precise description was not necessary, for the articles themselves were at hand, duly disposed for identification.

⁶ Here, and in some other passages indicated, the word 'Sir' is for 'Monsire,' a word which ordinarily meant more than 'Sire.' It denoted not only baronial rank, but in most cases, as here and elsewhere in these documents, what 'Sire' did not, intimacy. Sometimes, however, the words are used synonymously; at the beginning of the inventory following this will we have 'Monsire Nicholas de la Beche,' and at the end, 'Sire Nicholas,' etc., the same person. ('Monsieur' was undreamt of, as it is now used.) 'Monsieur' often meant 'my lord,' especially in the will of the Countess of Devon, and in such cases is so translated.

⁷ There is small danger of confusing 'chargeor' (war-horse) here with 'chargeor' (tray) in other places further on.

The 'black charger' was to have another rider than Bohun's friend. Badlesmere fell into the hands of the king in the fatal battle in which Bohun lost his life, and was directly tried and executed for treason. He had enjoyed the special favor of the king—he was just from the post of Steward of the King's Household—and his conduct, added to the insult to the queen by Lady Badlesmere, was accordingly treated as peculiarly ungrateful and treasonable; he was drawn, hanged, and beheaded. *Siege of Carlaverock*, Nicolas, 354.

⁸ A common euphemism of the time, for death. See again near the end of this will, and the will of the testator's son, *post.* In a poem on the death of Edward the First (1307), written soon after the event, 'hearkneth,' says the poet,

'Of a knyht that wes so strong,
Of wham God hath don ys wille.'

—Percy, *Reliques*, I. 250.

'That ye do hym oure wille'—'to distroie Hugh Spencer, our enymy.' Letter of Queen Isabel (1326), 'takked upon the newe crosse in Chepe.' *Chron. of London*, Notes, p. 152; *id.* pp. 49, 50.

⁹ The testator holds of the king, and his heir, if under age, at the testator's death, would be in the king's wardship; so the king would be entitled to the rents and profits

and all the money which can be raised for the marriage of my said heir ; [with this] and out of all the money which my said lord the king owes me by account settled in his wardrobe¹ for my stay with him, and also out of all the money which the Earl of Hainault, Holland, and Zealand owes me,² I bequeath to Humphrey, Edward, William, and Eneas, my sons, that is to say to each of them £2000³ for buying lands or marriages, or to be used in any other way, according to what my executors shall think profitable for them ; and if the money aforesaid should amount to more, we wish that it be divided wholly between our four sons aforesaid. Likewise, I bequeath to Eleanor, my daughter, for her apparel for her marriage £200.⁴ Item, I bequeath to Sir ['Monsire'] Hugh de Courtenay 1000⁵ marks, the which I owe him for the marriage of Margaret, my daughter, to his son and heir. Item, I bequeath to this same Margaret for the apparel for her marriage 200 marks.⁶ Likewise, I bequeath to my eldest son all my armor and a bed complete⁷ of green powdered with [figures of] white swans,⁸

of the estates of the testator until his heir became of age. The half of these, the testator says, the king has relinquished.

¹ Or office of chamberlain to the king.

² On account of the dower rights of the testator's late wife, due from her first husband, John, Earl of Holland, now for more than twenty years deceased. The Earl of Hereford had not yet been able, even with the aid of the king and a judgment in the Council of the present Earl of Holland, establishing the claim, to obtain payment of the late Earl of Holland's matrimonial debts. *Fœdera*, II. part i. 82, showing the king's intervention in 1315.

³ From the year 1300 to the year 1344 the shilling of England contained (22 grains to the penny, 12 pence a shilling, 22×12) 264 grains of silver (against 288 when the pound silver was a full pound, Troy weight. Madox, *History of Exchequer*, 188, 189). Shaw's *History of Currency* (London, 1895), 44. The English shilling of to-day weighs 86 grains. That is, the shilling at the time of this will contained somewhat more than three times as much silver as the shilling of to-day; and, of course, the pound then more than three times the pound now. Treating the ratio, for the purpose of a broad comparison, as three to one, the testator gives to each of the four sons £6000. But the purchase-power, in labor, of money of the fourteenth century (thus equalized in weight and real value) is commonly reckoned at about fifteen times that of money of to-day; hence the £6000 represents roughly, in *coined* silver of to-day, £90,000, or \$450,000—that amount to each of the four sons named for buying lands or for marriage portions.

In 1344 the weight of the silver shilling was reduced to (20½ grains to the penny) 243 grains, and reduction went on at stated times afterwards. In 1346 the weight was by law put at (20 grains to the penny) 240 grains; in 1353 it was put at (18 grains to the penny) 216 grains; in 1414 it was put at (15 grains to the penny) 180 grains. Shaw, pp. 44, 45-6, 55-6.

⁴ Equalizing the money as in the last note, the gift is £600 (and more), and £600 $\times 15 =$ £9000, or \$45,000 to-day.

⁵ A mark was two-thirds of a pound, or 13s. 4d. The gift, equalized as before, was 3000 marks, and 3000 marks $\times 15 =$ 45,000 marks, or \$150,000.

⁶ Equalized: 600 marks $\times 15 =$ 9000 marks, or \$30,000.

⁷ The bed furnishings.

⁸ The swan was the Bohun badge or cognizance. See note on Knight of the Swan, Countess of Devon's Will, *post*.

with all the belongings. Item, I bequeath to Master John Walewayn a cup stamped and embossed with fleur-de-lis, which had belonged to Saint Edmund of Pountiny,¹ and a little cup which Giles of Herteberghe gave to me at Bruges, and a gold ring with a ruby which my wife bequeathed to me and which is all full of bruises and is in a little casket in a large box at the end of the lower wardrobe. Likewise, I bequeath to Sir ['Monsire'] Robert de Haustede Sr., and to Lady Margery his wife, for the care of my son Eneas, £100. And to Sir ['Monsire'] Robert de Walkfare £60, and to Sir ['Monsire'] Walter de Shorne, to whom we have made no payment, £100. Likewise, I bequeath to Philippa Wake, mistress of my daughter Eleanor, £20, and to Maud de Bascreville, my sister, for her marriage, £40. Item, I bequeath to Catharine de Buckland, mistress of my daughter Margaret, £10. And to Isabel, wife of Piers de Geudeford, 100 shillings. Likewise, I bequeath to the Chapter-general of the Friars Preachers² for masses and other prayers, to chant and say for my soul, £20. And to the Chapter-general of the Friars Minorites,³ for the same things, £20. Also to the Chapter of the Friars of Saint Augustine for the same things, 20 marks. And to the Chapter-general of the Friars Carmelites⁴ for the same things, 20 marks. Likewise, I bequeath to the Abbot and Convent of Walden for chanting masses and making other benefactions for my soul, £10. And to the Prior and Convent of Lanthony near Gloucester⁵ for the same things, £10. Item, to the Prior and Convent of Farleigh for the same things, £10. And to the Prior and Convent of Brecknock for the same things, £10. And to the Prior and Convent of Hurley for the same things, £10. And to the Prior and Convent of Stoneley, 100 shillings. And to the Prior and Convent of Worcester for the same things, £10. Likewise, I bequeath to Houard de Soyrou, master to my son Humphrey, £20, and to Robert Swan, who is with our son John and his brothers, £20. Item, I bequeath to Robert de Clifton £10. And to Robert de la Lee £10. Item, to Master Walter, my cook, £10. And to William, my falconer, £10. And to Robert Brutyn £10. Also to Berthelet, the falconer, 100 shillings. And to John de Gynes 100 shillings. Likewise I bequeath to William Wrothe, my constable of Brecknock, £20. And to Thomas Gobyoun, my constable of Plessy, £20. And to Henry Herbert £10. Item, I bequeath to Walter the cellarer 100 shillings, and to Roger the cook 100 shillings, and to Richard the dean 100 shillings. I bequeath to

¹ Archbishop of Canterbury, who died in exile at Pontigny (1240), and was canonized.

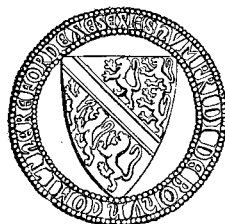
² Dominicans, or Black Friars.

³ Franciscans, or Gray Friars.

⁴ White Friars.

⁵ This was a special Bohun house, to be distinguished from the Priory of Lanthony in Wales, which was the parent house. Most of the other religious houses here remembered were also under the patronage of the Earls of Hereford. Of the places following, Brecknock is in Wales; Farleigh is in Wiltshire; there is a Hurley in Berkshire; and there is a Stoneleigh (and Stoneleigh Abbey) in Warwick. Plessy was in Essex; Plessy Castle was the testator's home.

John the dean 50 shillings, and to Adam de Rothingge 100 shillings. Item, to John the chandler 50 shillings, and to William the farrier £ 10. Item, I bequeath to Adam the farrier 100 shillings and to William of Weston 100 shillings. Item, to Milles 100 shillings, and to Thomas the baker 100 shillings. Likewise I bequeath to Thomas of the treasury ['despense'], my chamberlain, 10 marks. And to Poun my barber 10 marks. Item, to William of the wardrobe 100 shillings, and to Robert my hosteler¹ 100 shillings. Item, I bequeath to Gilbert the poulterer 100 shillings, and to each of my [serving] boys who shall have been with me more than a year on the day when God shall have done his will concerning me 20 shillings. Likewise, I will that of all my horses some of the best shall be set apart for my burial.² And for performing all things aforesaid I have appointed Master John Walewayn, Sir ['Monsire'] Bartholomew Denefeud, the Abbot of Walden, and Sir John de Walden, my executors. Written at Gosforth near New Castle-upon-Tyne the eleventh day of August, in the year of grace one thousand three hundred and nineteen.³



FACSIMILE OF SEAL TO THIS WILL.
FROM THE ARCHÆOLOGICAL JOURNAL.

II

Inventory of certain personal property of the same Humphrey de Bohun. Translated from a transcript of the original manuscript in the Public Record Office, London, Ancient Deeds (Duchy of Lancaster), I. 29, specially furnished.⁴

¹ The one who received and provided for guests; here, of course, not an innkeeper.

² As a mortuary or burial offering to the parson of the church in which the funeral service should be held. See Sharpe, *Calendar of Wills*, Introd. II. vii. Animals as mortuaries were sometimes driven before the corpse at the funeral. *Id.* 123, Will of John Rokel (1368), giving a bullock, so to be driven.

³ As the testator was in rebellion at the time of his death, all of his property was forfeited (for a time), and his will was not probated. At the time of this will, two years and a half before his death, he was in one of the expeditions against the Despencers, and writes his will probably in camp.

⁴ Punctuation by the writer. There is scarcely any in the original MS., and there is doubt sometimes what it should be.

This indenture witnesseth of divers things which belonged to the Earl of Hereford, found in the Abbey of Walden¹ on the Wednesday next after the Annunciation of our Lady, in the fifteenth year of the reign of King Edward,² son of King Edward, and delivered by the abbot of the said place to Sir ['Monsire'] Nicholas de la Beche.³ That is to say, belonging to Eneas de Bohun⁴: one gold nouch⁵ having three grains of emeralds and nine pearls, with a sapphire in the midst, one gold ring having an emerald, twelve silver dishes, twelve saucers,⁶ and two silver basins. Belonging to William de Bohun⁷: one gold nouch having four garnets and four pearls and one emerald, one gold ring having one emerald, six dishes and six saucers, four pieces of silver [plate],⁸ two silver basins having escutcheons of the arms of England and Ulster. Belonging to Humphrey de Bohun⁹: one gold fermail¹⁰ having three emeralds and three rubies, one gold ring,

¹ Other belongings of the earl were left at Lanthony Priory; and the prior, who stood by his patron, got into trouble about some of them. *Parliamentary Writs*, II. 242, no. 76.

² A.D. 1322.

³ He had just been made the king's constable of the late earl's castle of Plessy (Dugdale's *Baronage*, II. 127), and was now taking possession of the earl's property as forfeited to the king for the rebellion; *ante*, p. 418. As to the title 'Monsire,' given 'Sire' at the end of this document, see *ante*, p. 423, note 6.

⁴ Testator's youngest son; he died in youth or early manhood.

⁵ Also written 'ouch'; a costly brooch, buckle, or clasp for fastening on a garment, such as a mantel; often richly jewelled.

⁶ 'Dishes' ('esqueles') is almost invariably followed at once by 'saucers' ('sausers'), not only in these but in other wills and inventories. What were these 'dishes,' for such is the word in the early English-written wills? Some kind of bowl is indicated by 'esquele,' Latin *scutella*, a small shield. In mod. French 'écuelle' means porringer; and in a will of the Rector of Winnal, near Winchester, of the year 1551, the testator makes a bequest (*inter alia*) of 'a potynger with ij sawsers,' *Gent. Magazine*, V 19 (Gomme). Perhaps then porringer is the meaning of 'esquele' here. The 'saucer' by etymology and early definition was a dish for sauce. The number of dishes and saucers is often, as here, but not always (see *infra*), the same.

⁷ Testator's fifth son, afterwards Earl of Northampton; *ante*, p. 415, note 6.

⁸ These are apt to go with dishes and saucers, but very likely that may be accidental. See *infra*; also *Fifty Earliest English Wills*, 65, l. 12, and 78, l. 24; *Royal Wills*, 112, 113.

⁹ Testator's third son, heir to his brother John as Earl of Hereford and Essex.

¹⁰ A large, and, among people of rank or wealth, a rich and costly buckle, clasp, or brooch. Fairholt, in his *Dict. of Costume*, II. 166, gives to the word a meaning which implies that the article was worn only by women; a meaning too narrow, for here Humphrey, John, and Edward have, each of them, 'a gold fermail.' Fairholt's definition is: 'A brooch closing the aperture of the dress at the breast'; and for illustration he refers to a cut (I. 93) of such a brooch at the neck of Berengaria, wife of Richard the First. To his definition he adds a reference to a circular brooch of the fourteenth century, like that of Berengaria, on which was the inscription:

'Je suis fermail pour garder sein
Que nul villain n'y mette main.'

'On avait des fermaux pour attacher les manteaux, les chapes, les robes; pour suspendre

having one diamond, twelve dishes, twelve saucers, four pieces of silver [plate], two small silver basins having the arms of England and France, one silver charger. Belonging to John de Bohun¹: one gold femail having six large emeralds, one gold ring having one diamond, six dishes, six saucers of silver, and ten pieces of silver [plate], two silver basins having the arms of England and of Holland, one charger, and twelve silver spoons. Belonging to Edward de Bohun²: one gold femail having four emeralds and three rubies, one gold ring having a diamond, six dishes, six saucers of silver, and four pieces of silver [plate], two silver basins having the arms of England and France. Belonging to Margaret de Bohun³: one gold basin having one escutcheon of [the arms of] England and four escutcheons of divers arms, a table pax⁴ having one image of silver gilt, three cups, one of them being of gold, and one of silver gilt and enamelled, one ewer of the same set ['suite'],⁵ one crystal cup having one silver gilt foot⁶ and a ewer of the set, one silver censer,⁷ one gold ewer having the arms of Holland, one silver bucket for holy water. A bowl ['escurge']

les aumôniers, les cassolletes, etc,' Racinet, *Le Costume Historique*, Glossary (I. 200); there called 'Broche de grandes dimensions.'

¹ Testator's eldest living son, the fifth (Bohun) Earl of Hereford. After the first Bohun earl (Henry, of Magna Charta, whose father and forefathers were all Humphreys), down to and including the last Earl of Hereford, all were Humphreys except this John; and but for the death of an elder brother Humphrey — who died young — there would have been no exception then.

John, now Earl of Hereford and Essex, at this time about sixteen years of age, was at Windsor castle as a ward of the king, his uncle. Certain belongings of the late earl, already referred to as at Lanthony Priory, and not mentioned in this inventory, were secretly sent to John at Windsor. *Parl. Writs*, II. 242, no. 76, with account of the troubles which the fact, on discovery, brought upon the prior.

² Testator's fourth son; drowned anno 1334.

³ Younger of the two living daughters of the testator, afterwards married to Hugh de Courtenay, later Earl of Devon. Her will is given *post*. Two other daughters of the testator had died young.

⁴ A small hand tablet, five or six inches by three or four, or thereabouts, more or less richly ornamented and enamelled, containing the representation of some Christian object of adoration; such as the crucifix with the Virgin and Saint John on either side, the Trinity, the adoration of the Magi, or the baptism of Christ. The pax is often called 'osculatorium' (see *Chron. Evesham*, 301; Sharpe's *Calendar of Wills*, I. 660; II. 469; Introd. II. xii.), and is supposed to be connected with the 'kiss of peace' of the apostles, by way of substitution. In Pugin's *Glossary of Eccl. Ornaments*, the pax is a tablet 'carried round having been kissed by the priest, after the Agnus Dei in the mass, to communicate the kiss of peace.' For cuts and descriptions see *Arch. Journal*, II. 144-151; also *id.* 49, of a pax in New College, Oxford, of the crucifixion, size $5\frac{1}{2} \times 3$ inches.

⁵ A very common and, therefore, suggestive word in regard to house-furnishings. The ewer was a vessel, here evidently beautiful and costly, for holding water. For a colored figure of one, of large size, see Shaw's *Decorative Arts in the Middle Ages*, plate 38.

⁶ As to cups with feet see *Arch. Journal*, II. 176; Sharpe's *Calendar of Wills*, II. xlvi. and 337, 'le Fotèdcupp.'

⁷ See Shaw's *Decorative Arts*, plate 14, and description.

also of silver, two small silver cruets¹ and one gilt salt-cellar,² two plates having silver feet, for spices, twenty-four silver dishes, seven silver saucers, two basins and one charger of silver, two gold spoons and one of silver, two small ivory images of our Lady, one small chest having [figures of] silver leaves, two gold coronals³ having emeralds, rubies, and pearls, three gold circlets,⁴ having emeralds, rubies, and sapphires and pearls,⁵ two circlets of Paris work,⁶ and two garlands, two headdresses of pearls and other work in quatrefoil, of Paris work, one large gold nouch powdered full of emeralds, rubies and pearls, one small nouch having four garnets and one emerald, one small nouch having two garnets and two rubies and one pearl in the midst and pearls and doublets⁷ for buttons, three small silver gilt morse,⁸ one small gold table enamelled within, two pairs of paternosters,⁹

¹ Vessels for holding wine and water intended for consecration at the altar. *Fifty Earliest English Wills*, 136.

² Often having the form of a dog, stag, lion, or other animal, and costly. See *Royal Wills*, 112-114, 'un saler en la manere d'une lyoun ove le pee d'argent susorrez'; also *Arch. Journal*, II. 259, with cut.

³ Ornaments encircling the head; broader probably than the circlets which Fairholt (I. 127) says were a sort of coronal. An engraving (not dated) of Eleanor, queen of Henry the Third, in possession of the writer, shows her adjusting a jewelled coronal of rich and beautiful design.

⁴ See last note.

⁵ Before the word 'pearls' here and in the preceding line occurs the word 'autres.'

⁶ A kind of jewellery, according to Halliwell, *Dict. of Archaic Terms*. See *Fifty Earliest English Wills*, 101, l. 23. But that conveys little meaning. It was probably work of skill and art in jewellery and in other objects of apparel or ornamentation.

⁷ Among lapidaries in modern times, a doublet is a stone of two pieces of crystal with colors between, so as to look as if, the whole were tinged with them. Worcester. But possibly here, as the doublets were for buttons, two stones or studs connected by links. In an engraving by Wilkes (1804) the mantle of Edward the First is represented as fastened by such studs.

⁸ The morse (from *mordere*, *morsus*) was a kind of button with clasp, often of very costly material and workmanship, worn by clergy and laity. When worn by the clergy, it was used to prevent the cope from slipping off, and was fastened on the breast by a clasp; in which case it was from five to six inches in breadth, either circular, square, or in some form taken from among the details of the architecture of the time. It was of gold, silver, ivory, or copper, or of wood overlaid with precious metals. Gems and pearls were often set in it. See a rich example of a large circular morse, in enamel, with sacred figures around the border and in the centre relating to the birth of John the Baptist, in colors, in Shaw's *Decorative Arts*, plate 7, beginning of the fourteenth century, and description.

⁹ A pair of paternosters — called a 'pair' from the circlets made as suspended from the girdle or arm — was a single rosary, a string of beads for counting prayers. The term 'rosary,' though in use at this time, was not applied as it has been since to beads; instead of rosary we generally find 'paternosters' — of course from the first words of the Lord's prayer. See Bridgett, *Our Lady's Downy*, chap. 5:

Of smal coral aboute hir arm she bar
A peire of bedes, gauded all with grene;
And thereon heng a broche of goldful shene.'

Chaucer, *Prologue to Cant. Tales*, 157-160 (Skeat). Costly paternosters were much worn as ornaments.

the one of coral, the other of jet, having the large beads ['gaudeez'] gilt, one girdle of say¹ powdered with white pearls and with coral and the mordent² having three escutcheons of arms of France, Spain, and the Empire,³ three gold rings having three sapphires, one gold ring having one 'peritoe,'⁴ one 'Israel'-stone⁵ set in silver, one other stone set in silver, one ring having one ruby, two rings having emeralds, one ring having sapphires, one ring having grain of ruby, one ring having grain of emerald, two rings having garnets, four silver [pieces of] money enamelled, one portion of them with white pearls, and another portion with blue ['de Inde'] pearls,⁶ one amber ball set in three silver braces, one branch of coral, three eagle-stones,⁷ one silver ship ['nef'] for alms.⁸ Belonging to Eleanor de Bohun⁹: one wooden table painted for an altar,¹⁰ one cross having one silver gilt foot, two small silver basins for the chapel,¹¹ one ivory image of our Lady in a closed tabernacle,¹² one small ivory image of Saint Catharine, two silver

¹ A kind of silk or satin. 'That fine say whereof silk cloth is made.' Quotation in *Century Dictionary*, under 'Say.'

² The metal case or covering at one end of the girdle, having a clasp or tongue (hence 'mordaunt,' 'mordent,' from *mordere*, like morse, *supra*) to connect it with the other end; often richly studded and beautiful. See cuts in Fairholt.

'The mourdaunt, wrought in noble wyse,

Was of a stoon ful precious.' — *Rom. of the Rose*, 1094 (Skeat).

³ The Holy Roman or German Empire.

⁴ Perhaps from *petra virtuosa*, a talismanic stone. See Sharpe's *Calendar of Wills*, Introd. II. xli.: 'A ring which was considered to possess healing or talismanic property was called in medieval Latin *virtuosus*.' Such a ring had Sir Lancelot to his service in some of his troubles.

⁵ Among the effects of Piers Gavaston (1313) was a purse of cloth of gold containing two Jerusalem-stones. *Fœdera*, II. part i. 30; *Siege of Carlaverock*, Nicolas, 139.

⁶ Qu. as to the meaning of this? The original reads, 'iiii. deniers dargent enaumailliez une porcioun des blanches perles & une autre porcioun de perles de Inde.'

⁷ Stones supposed to possess various talismanic properties, especially in child-birth. There was a famous one at the shrine of St. Albans. In form and substance the eagle-stone or aetite was a rounded lump of clay ironstone, hollow, with a loose nucleus within, which rattled when the stone was shaken. See *Middlesex and Herts Notes and Queries*, January, 1895, p. 35.

⁸ 'The most curious appendage of the table of princes and noblemen of high rank was the ship (nef). . . . The form of it was evidently borrowed from the navette (naveta), a ship-like vessel in which frankincense was kept on the altar.' *Arch. Journal*, II. 266, with cut representing a page carrying the nef. See 'navette' of Eleanor below. It is called 'naviculus' in *Chron. Evesham*, 301 (1376). 'In his bewilderment he served the king with mustard instead of honey from the great silver ship full of condiments, in the centre of the table.' *Prince and Page* (Miss Yonge), ch. 14. The prince is afterwards Edward the First.

⁹ Elder daughter of the testator, afterwards married to James Butler, Earl of Ormond.

¹⁰ See *post*, in will of Countess of Devon.

¹¹ Of Plessy Castle. 'Our chapel in our castlè of Plessy,' *post*, on the fourth page of the next and concluding instalment.

¹² Not uncommon in churches. 'The images in the churches frequently stood under handsome canopies or tabernacles.' Bridgett, *Our Lady's Dowry*, 267. 'I will that my

candlesticks for the chapel, one bucket and one bowl ['escurge'] of silver for holy water, two cruets, and one little silver bell ['sonet'],¹ and one little silver ship ['navette'] for incense, one silver gilt censer, twenty-two dishes and six saucers of silver, two small basins and one charger of silver, one silver plate for spices, with the foot having escutcheons of divers arms, and two other plain silver plates for spices, four silver pots having the covers and one ewer of the set, and one silver gilt pot together with two ewers of the set, one white mazer-bowl² having the cover, one gold hanap³ having the cover and enamelled, with a brace ['crampoun'], and one gold pot, one silver gilt chalice for the chapel, one silver salt-cellar, one gold cup having one escutcheon of Holland, one foot for one silver gilt hanap, two gold spoons and one of silver, one gold nouch cut as a shield, having an eagle, sapphires, rubies, pearls and one ruby pendant from the eagle's beak, one rich gold coronet ['coroune'] having emeralds, rubies, and pearls, and one other richer gold coronet having emeralds, rubies, and sapphires and white pearls, two silver circlets of Paris work, one chaplet of pearls having the arms of Holland, one headdress of small pearls and stones, four gold circlets of emeralds, garnets, and pearls, one headdress of pearls having the escutcheons of arms of England and Holland, one silver box enamelled, together with one gold ring having one ruby, one small print of silver leaves,⁴ together with a frontel of say for a bacinet,⁵ three branches of coral, one musk-ball set in a silver brace, having small stones and pearls,

executors do peynte and gyldre the tabernakyll of our Lady of Pity at my cost.' Ibid. See also p. 320, referring to a shrine of the Virgin at Ipswich, where there had been an image of gold of the Virgin, in a tabernacle of silver gilt. Such things the great, as the text shows, had at home.

¹ 'As around the bishop's tunic, so to both ends of the stole little bells of silver used sometimes to be fastened in Anglo-Saxon times, there is strong reason for supposing; certain, indeed, it is that, for ages after the Anglo-Saxon period, such bells . . . continued to be sewed to the extremities of our English stole and maniple.' Shaw's *Decorative Arts*, under 'Triptych.'

² Generally of maple-wood; also of other spotted or mottled hard wood. *Century Dict.*; *Arch. Journal*, II. 262, with cut of bowl having a cover. The commonest of drinking-vessels; often mounted upon a foot. Sharpe's *Calendar of Wills*, Introd. II. xlvii.; *Archæologia*, 1887, I. part i. 129. 'A mazer ywrought of the maple warre.' Spenser.

³ A cup raised on a stem, with or without a cover, often, as here, of costly material and delicate workmanship. See *Arch. Journal*, II. 180, 263, 264; Shaw's *Decorative Arts*, plate 9, in colors, enamelled and exquisite in design and execution, with description (thirteenth century). What the 'crampoun,' ordinarily a brace, in this instance was, is not clear; perhaps it was something within which the hanap was placed when not in use. 'Hanaper' is of course from this word.

⁴ That is, an article stamped with silver leaves.

⁵ A small helmet, a sort of cap of metal, lined, usually conical-shaped at this time; the helmet, worn in battle or tournaments, was much larger, and was worn over the bacinet.

'An helm he had on his heved set,
And ther-under a thick basinet.'

— 'Guy of Warwick,' *Early English Metrical Romances*, Halliwell, 229.

three eagle-stones, one flower of our Lady,¹ one small musk-cup having the foot and the cover of silver gilt quatrefoils of Paris work, three silver morsers gilt, pearls of divers colors and doublets also, three small silver spoons having [figures of] cockles of the sea, one small tablet having one crucifix and one mariole of our Lady, enamelled, two silver brooches² for a mantle in a small ivory case, one gold comb and one silver mirror with one silver brooch in a case, one girl's girdle of silver, one black box bound ['herneise'] in gold, two gold rings having sapphires, one stone enclosed in silver, one pair of amber paternosters, and one other of silver and three diamonds³ and one purse ['bourse'], one ring having one sapphire, two rings having emeralds, one ring having one small ruby, two rings having small emeralds, one piece of gold [plate] melted down, and one ivory box bound in silver. For the Earl of Hereford⁴: one gold cup having one escutcheon of Holland and Hereford, one pot and one ewer of gold of the same set, one silver pot for arms and one gilt salt-cellar, the large coronet ['la grande coroune'] having rubies, emeralds, and pearls, and upon the crest rubies and sapphires, which the queen her mother bequeathed ['devisa']⁵ to the Countess of Hereford. These are the things which the said abbot received from John de Tosseburi: that is to say, eighteen pieces of tapestry and green bench-coverings ['banquers'] powdered with swans, and one habergeon⁶ which is called Bolioun, and one pair of plates covered with green velvet, two gipons,⁷ two coats with arms of the earl,

¹ The rose, emblem of the Virgin, herself called by the Catholic Church, Rosa Mystica. Bridgett, *Our Lady's Dowry*, 343.

² The word here translated 'brooches' is 'broche.' The word appears to be more or less interchangeable with 'nouch,' as are also, perhaps, the words 'fermail' and 'morse.' But each of these French words retains its French name in the translation, as it appears in the English of the time, and in modern times.

³ It is interesting to note that we have here, in the original, the earlier form of the word we call 'diamond,' namely, 'aymaux,' singular 'aymant,' that is, 'adimant.' In other places in the inventory the word is 'dimaunt.'

⁴ John, eldest living son of the late earl, now at Windsor castle; *supra*, p. 428, note 1.

⁵ This word may here mean simply *gave*, rather than bequeathed or gave by will.

⁶ Diminutive of hauberk; a breast-plate.

⁷ The jupon or pourpoint, a close-fitting garment worn in battle, or on the march, in tournaments, and other great occasions, displaying the owner's arms, and hence worn over the coat of mail. So the cuts represent it. See Fairholt, I. 153, 206, 207; *Arch. Journal*, II. 215; Shaw, *Dresses and Decorations of the Middle Ages*, I. But Fairholt (II. 184), quoting Strutt, says *under* the coat of mail; which is contrary to what the former himself had already said (I. 206). Of what use would the figure of arms be if under the coat of mail? Chaucer says:

'Of fustian he wered a gipoun,
Al bismotered with his habergeoun.'

Prologue to Canterbury Tales, 75. See also *Knight's Tale*, 2120, where the knight appears 'in a light gipoun.' There was a close-fitting garment worn next the body, called variously gambeson, acketon or hacketon, floternel, and (*Song of Roland*, 282 and Gautier's note) blialt. The blialt was worn by women also. Shaw's *Dresses and Decorations*, I. Introduction. Strutt thought the gambeson and the gipoun the same thing. See Fairholt, II. 184.

four pairs of ailettes¹ with arms of the Earl of Hereford, one cloth of gold for a bed, one covering of red samite² and one covering of blue ['de Inde'] samite, and one small covering of say for a bed for children, four swords, one with arms of the said earl, the second of Saint George, and the third of 'Sarziney,' the fourth of war, one Holland quilt ['quintepoint'] and one white sendal³ and one striped with red velvet and peacocks' feathers and one other with arms of England and Hereford quartered, one dosser⁴ of the set, one long table-cloth⁵ and three towels, three coverings of ermine, one for a children's bed, two coverings of menever, one black ['gronoir'] and two gray, one of the latter for a children's bed, one canopy and one dosser of green sendal and of red for one bed, two silver chargers, one basin for alms having one escutcheon of the arms of Hereford wanting a ring, one book which is called Sydrac,⁶ two bacinets, the one covered with leather the other burnished, two coverchiefs for the head of a bed⁷ furred with menever, the one of cloth of 'Tarce,'⁸ the other embroidered, one screen of red sendal, two pieces of blue ['de Inde'] tapestry, one pair of hose of Cordova, having buttons, one iron corset, one covering for a horse with the

¹ Small square — sometimes round, pentagonal, or lozenge-shaped — shields of stiff fabric, rising wing-like from behind the shoulders, and often bearing the person's arms. See Fairholt, I. 112, 149, with cuts. They were worn from the time of Edward the First to that of Edward the Third. They seem to have been partly for ornament, and so were jewelled in some cases. Fairholt, II. 4, 5, referring to the ailettes of Piers Gavaston. In the time of Richard the First an ornament of like nature, in form of a small cross rising from the shoulders, was sometimes worn, probably the sign of a crusader of rank. See Shaw's *Dresses and Decorations*, I. plate 17.

² From *examitus* [ἐξ ὑλτος] six-threaded; a heavy silk material. 'To say of any silken tissue that it was "examitum" or "samit," meant that it was six-threaded, and therefore costly and splendid. . . . [It] had in the warp six threads, while the weft was of flat gold threads.' Quotation in *Century Dictionary*, under 'Samite.'

'And in an overgilt samyt
Clad she was, by gret delyt.'

— *Rom. of the Rose*, 873-4 (Skeat).

³ A silken material used in the fourteenth and fifteenth centuries for rich dresses, flags, pennons, etc. *Century Dictionary*. 'Sendale you expounde by a thynne stuffe lyke cypres [Ipres cloth]; but yt was a thynne stuffe lyke sarcenett, and of a raw kynde of sylke or sarcenett, but coarser and narrower than the sarcenett now ys, as myselfe can remember.' Fairholt, II. 363, quoting Thynne (1598).

⁴ Coverings for the backs of chairs. See *Fifty Earliest English Wills*, 178; also Halliwell, who says hangings of various kinds, tapestry. See also Sharpe's *Calendar of Wills*, Introd. II. xxxiii: 'The walls of the mansion house of the wealthy citizen were hung with pieces of tapestry known as costers or dorsers, elaborately worked . . . or else stained (*i.e.* painted) with pictures,' etc.

⁵ See *Arch. Journal*, II. 178.

⁶ A secular work of 'great repute at the time; the book which the fabulous King Boctus caused to be written on all sciences by the equally fabulous Sydrac.' *Arch. Journal*, II. 345.

⁷ Also a term for covering of the head of women. See Shaw's *Dresses and Decorations*, I. Introduction.

⁸ See Fairholt, 'Tartarium'; Sharpe's *Calendar of Wills*, I. 681; Glossary to *Liber*

arms of Hereford, one bay sumpter horse. Besides, there were found in a coffer of the Chapel of Denney the things following.¹ That is to say, two missals,² one legende,³ two antiphoners,⁴ one breviary,⁵ one psalter glossed in two volumes, three grails,⁶ one manual,⁷ one 'epistolarie,'⁸ two troopers,⁹ one psalter with one hymner, the canon of the mass for oneself, five chasubles,¹⁰ five albs, three amices, four stoles, four fanons,¹¹ four girdles, two corporals together with the case,¹² six tunics, four leather copes, six large towels, three small towels, two cloths for the lectron, one cloth of gold, one cushion, two surplices, one rochette,¹³ two gilt chalices,¹⁴ two crosses, one table of relics,¹⁵

Customarum, p. 830, where it is said that cloth of Tars is probably the China silk crape of the present day. See the same place in regard to the name Tars.

'His cote-armure was of cloth of Tars.'

— *Canterbury Tales* (Knight's Tale), 2160.

¹ What follows *supra* is a collection of books of the church. 'The collection of books for the service of the Chapel of Denney is very complete.' *Arch. Journal*, II. 345.

² 'The missal has all the masses said from one end of the year to the other.' Meagher's *Teaching Truth*, 104.

³ A church book of divine service, according to Lacombe's *Glossary*. But here, perhaps, a book of Legends of the Saints. See Sharpe's *Calendar of Wills*, I. 607; II. 511; also Introd. II. *Legends of the Holy Rood*, ed. Morris, is one of the publications of the Early Eng. Text Society.

⁴ Ordinarily, books of anthems.

⁵ A book containing a summary of the prayers of the Catholic Church. Meagher's *Teaching Truth*, 275.

⁶ Books of hymns and prayers; Worcester. See Brewer's *Historic Note Book*, 526, 'Liturgy.' Also called *Graduals*. See *Glossary to Chronicle of Abingdon*.

⁷ See Brewer's *Historic Note Book*, 526, 'Liturgy.'

⁸ The Epistles general.

⁹ A book of offices in use in the Western Church, containing the tropes and sequences. *Century Dictionary*. A hymner. *Promptorium Parv*. 503.

¹⁰ These and the following articles, like the books just mentioned, though things of the church, were the property of the late earl (used, no doubt, in his own chapel in the castle of Plessey), and hence were now being taken possession of for the king.

After a cut of an archbishop in ecclesiastical garb, Shaw says: 'Above his ankles we see the lower part of the long garment which was called the albe. Over this is the tunic. . . . Then the dalmatic. . . . Above all is the chasuble, thrown over the body and raised on the arms like a mantle, with a standing collar. Hanging on the left arm is the maniple. . . . The stole, which hung from the shoulders, and descended nearly to the feet over the albe, is not seen in the effigy.' *Dresses and Decorations*, plate 16 and description, figure of end of twelfth century. Cuts of the amice are also given by Shaw; also by Meagher in *Teaching Truth*, 129, where all the ecclesiastical vestments here mentioned, except the rochette, are explained. See also Shaw's *Decorative Arts*, under 'Triptych.'

¹¹ Another name for maniples. See Fairholt and note 9, *supra*.

¹² Corporal was and is the name given to the cloth which covered the communion vessels; the cloth being kept in a case. Sharpe's *Calendar of Wills*, I. 644; II. xii.

¹³ A loose upper garment: a clerical gown (as here). Fairholt, II. 350.

¹⁴ Vessels in which the consecrated wine was held.

¹⁵ A reliquary, for holding relics of the saints. The vessel was of various forms, sometimes richly executed and jewelled. See Shaw's *Decorative Arts*, plate 10, a silver jewelled reliquary, of the year 1470, in the form of a naked foot and ankle.

two gilt cruets, one silver censer, one small vessel of relics, one box containing deeds, one latten¹ vessel enamelled, one silver gilt box, one account book ['paper'].² In testimony of the delivery of which things to the aforesaid Sir Nicholas de la Beche by the aforesaid Abbot of Walden the year and day aforesaid, in presence of Sir Nicholas de Engaigne, sheriff of Essex and of Hertford, the aforesaid abbot and Sir Nicholas de la Beche have put their seals to each part of the indenture ['a lune et autre endenture'].

[Indorsed.] Indenture by which the Abbot of Walden delivered divers things to Sir ['Monsire'] John [sic] de la Beche in the time of King Edward son of King Edward.

MELVILLE M. BIGELOW.

¹ A kind of bronze used in the middle ages for crosses, candlesticks, effigies, basins, etc. Worcester.

² *Cant. Tales* (Cook's Tale), 4404. See Skeat's *Glossary*.

(*To be continued.*)

VIRGINIA AND THE QUEBEC BILL

IN 1774 there came for the first time a sharp conflict between Virginia and the home government as to jurisdiction over the territory north of the Ohio. The interpretation which Virginia had always given to the somewhat obscure definition of her bounds in the charter of 1609, had been long denied by France, and when that contested region was wrested from France, the peace of 1763 had limited its western extension by the Mississippi. The royal proclamation, which soon followed, had prevented the pushing of settlements thither, but had not given it over absolutely to other jurisdiction. Ten years or more later, while Virginia was waging war against the savages thereabouts, to enforce her claim and protect her settled frontiers, the British Parliament strove to put a limit to her territorial pretensions in this direction, by giving the Quebec government an absolute jurisdiction over the region. There were other purposes, both ostensible and latent, in this legislative movement, which were entered upon to curb not only Virginia, but the other seaboard colonies, in an inevitable westward march.

Ever since Carleton had been in command in Quebec, he had felt the necessity of yielding something more to the French Canadians than had been allowed by the capitulation at Montreal in 1760, and by the acts of 1763. He contended that a further concession could alone make them good British subjects, and that a guarded revival of French law, customs, and religion, while placating 150,000 Catholics of the province, — as Carleton counted them, though his estimate is probably much too large, — would not seriously impair the fortunes of four hundred Protestants, their fellow-subjects. In 1770 Carleton had gone to England, leaving in his place Cramahé, a Swiss Protestant in the English service. During the four years of his absence, Carleton was in occasional consultation with the ministry, about what seemed to him some needed transformation of the government of the province. This consideration was at times affected, and perhaps shaped, by petitions of the Canadians, not largely signed, and forwarded by Cramahé. They touched the restoration of French laws and a rehabilitation of the Catholic religion.

While such questions were in abeyance, the revolutionary commotions in Boston did not fail to render of doubtful continuance the loyalty of the seaboard colonies. If such disaffection could not be stamped out, it became a question of restraining it by territorial bounds, and covertly if not openly. This danger had already delayed the entire fulfilment of the Vandalia project south of the Ohio. It was known that there was a tide of immigration rolling along the Ohio, and, in spite of the agreement at Fort Stanwix, threatening its northern banks. It was necessary then to find some barrier to check the current lest it should buoy up the seething commotions of the seaboard. No such barrier was so obvious as that which the French had attempted to maintain in the recent war,—the line of the St. Lawrence and the Alleghanies. To make this barrier effective, it was necessary to consolidate, as far as possible, the region behind it in a single government. Murray and his successor, Carleton, had already urged an extension of their executive authority from Quebec westward, and the opportune time had come for doing it, under an ostensible plea of regulating the fur trade of the region. If the traders were gratified by such professions, the debates and remonstrances show that the proposed reinstatement of the Roman Church and the suppression of English law drew out fervent opposition; and there is, moreover, no evidence that the Canadians themselves, as a population, felt any elation over the prospect. This may have been due in some part to a latent sympathy among them with the revolutionary classes of the older colonies,—a sympathy with which Congress, as it turned out, blundered in an attempt to deal.

A new petition from Canada, dated February, 1774, and signed by only sixty-five persons, asked for a restoration of the "old bounds of Canada," over which the English and French had so long disputed, and the ministry in granting it were ensnared into the somewhat ridiculous acknowledgment of what they had formerly denied. To restore such limits, however, would please the Canadians and some fur-traders, and became a good cloak for ulterior purposes respecting the seaboard colonies.

Immediate opposition naturally came from the Penns, whose proprietary rights would be curtailed, and from Virginia, whose royal governor, interested with many of her people in land schemes in the Illinois country, was already preparing for an invasion of the territory. The movement for a colony north of the Ohio, over which Franklin and Hillsborough had contended, had come to naught, much to the relief of Virginia; but here was a project seeking the active sanction of Parliament, and likely to thwart

any purpose which her royal governor might have of issuing patents to this very land.

Dunmore was a man not easily balked. He had already taken possession of Fort Pitt despite the protests of Penn, and was determined to hold it as a gate to the over-river country of Virginia. This precipitate conduct had alarmed Haldimand, the military head of the Continent, lest the distractions of this intercolonial land-dispute should embolden the savages to take an advantage. Both sides arrested settlers engaged in vindicating their respective colonies, and the trouble had become so alarming in the spring of 1774, that both colonies sought, but without avail, to compromise the dispute. Surveyors of both sides were rushing to the contested region, and plotting their claims. The Indians, observing this, and disappointed that the delay in the organization of the Vandalia colony had deprived them of purchase money for their lands, and fearing to lose them through occupation by rival claimants, grew troublesome along the frontier. This condition was not altogether unwelcome to Dunmore. It gave the color of necessity to a proclamation (April 25, 1774), ordering the militia to be in readiness. By this force he might intimidate Pennsylvania, punish the Indians, and maintain the sovereignty of Virginia beyond the Ohio.

A few score men, land-grabbers and adventurers, had already assembled at the mouth of the Kenawha, and a hunting party sent out by them had been attacked by wandering Shawnees. As the spring wore on these bold fellows at the Kenawha, animated by a desire for revenge, resolved on a sudden onset upon the Indian towns on the Scioto, in the disputed territory. They sought a famous frontiersman, Cresap, for a leader, and returning up the Ohio to the site of the modern Wheeling, recruited their body by additional hotheads, with whom it mattered little whether the stories of murders, which were increasing, were of whites by savages, or of the Indian by the frontiersman, — and there was no dearth of either kind of tale. Zane, the principal settler of this spot, as well as Cresap counselled moderation, at least at times; but the trepidation was too wide-spread for perfect restraint. One observer tells us that in a single day a thousand bewildered settlers crossed over the Monongahela towards the east, and the whole country was finally stripped of inhabitants, except they were "forted."

The war, if it came, was sure to have one advantage for the whites, and that was the single and unhampered purpose of Virginia to maintain her own, and this she was prepared to do without the aid of her neighbors.

Sir William Johnson in New York was doing his best to restrain the Iroquois, but that part of these confederates which had advanced into the modern state of Ohio could not be restrained from making common cause with the Delawares and Shawnees.

Logan was one of these migrated Iroquois, and it was his fate to become the pivot of events. A small camp of his family and followers, on the north side of the Ohio, crossing the river to get rum, was set upon and killed by some lawless whites. Indian runners spread the news of the massacre, and Logan was soon, with such a band as he could gather, spreading devastation along the Monongahela and Holston, — and Dunmore's war was begun.

The country north of the Ohio, where Dunmore expected to operate, was designated in the parliamentary bill, now near its passage, as "heretofore a part of the territory of Canada." This phrase struck sharply at the pride of Dunning and others, jealous of English honor, and Lord North at one time proposed to leave the words out. It was urged by the opposition that under such an acknowledgment, if the time should ever come for France to regain Canada in a diplomatic balance, she could fairly contend for this conceded limit. While this apprehension strengthened the opponents of the bill in England, the news of its progress through Parliament brought other fears to land speculators in Virginia. Some travellers and adventurers in the summer of 1773 had formed a company at Kaskaskia which became known as the Illinois Land Company, and with these the governor and various gentlemen of tide-water Virginia were associated. They had bargained with the Indians for large tracts of land, and the deed had been passed. Was their purchase now imperilled by this bill? What was to be the effect of the measure upon the French traders and denizens of that country and upon their relations to the Indians? Haldimand was endeavoring to get what information he could of the condition of that country. He was instructing Lieutenant Hutchins to leave Pensacola and take the route north by the Mississippi, so as to bring him reports. Later still he sent Lieutenant Hall to placate the Indians, and prepare the French settlers for the stabler rule of the new bill. Gage in London was not less anxiously consulting with North and Dartmouth, and conferring with Carleton about its provisions. Haldimand was meanwhile constantly reporting new disorders on the Ohio, with a suspicion of French intrigue behind the savage irruptions, and there was need of haste in applying the assuaging effects of the bill. But its opponents were questioning the scheme because they thought

it hopeless and unpatriotic to check an inevitable westward progress. Haldimand understood the real purpose of its promoters, when he said that the bill was aimed at preventing the Americans getting possession of the continent. Lord Lyttelton recognized the fact that to confine the Americans by such a barrier was to thwart their contest for empire. Wedderburn said distinctly that it was one object of the bill to prevent the English settling in that country, and that the new barrier would allow "little temptation" to send settlers north from the Vandalia grant.

It was not only this territorial expansion of Quebec, but the concessions which the bill made to French Catholics, greater than any English Romanist could dare expect, and the grant of French law in British territory, which increased the steady aversion to it of English merchants, and which aroused the lord mayor and magistrates of London, because they supposed it imperilled British honor. For the seaboard colonists to enter that territory and find French law instead of English law, and to encounter an established Catholic religion, was not likely to strengthen the loyalty whose decadence the ministry was deploring in the older colonies. However politic the modern historian may think this rehabilitating of French customs to have been for the vastly preponderating French element north of the St. Lawrence, to include the Ohio country in such provisions is not approved even by such defenders of the ministerial policy as Kingsford, the latest historian of Canada. There is indeed little to support the charges that the bill was but the first step in reducing "the ancient, free, Protestant colonies to the same state of slavery," by setting up "an example and fit instrument for introducing the same absolute rule in these colonies." These were phrases used by Congress in an address to the people of Great Britain a few months later (October 21, 1774) and still more solemnly in the Declaration of Independence. They were simply loose sentences used for political ends. The parliamentary opposition, which was dignified by the support of Chatham and Burke, never ventured to think of any such effect as proceeding on the Atlantic side of the Alleghanies from these untoward provisions, whatever the bravado utterances of Thurlow may have indicated. The bill, passing the Commons on June 13, while Logan was rendering an Indian war in the designated region inevitable, went with amendments to the Lords. In this body, with a scant attendance of members, and after the season was so far advanced that many weary peers had gone to their estates, it was passed on June 18, and four days later was approved by the king.

Before the news could reach Virginia, but while the prospect seemed certain that such a bill would become law, Dunmore, on July 12, instructed Andrew Lewis to descend the Kenawha with a force and cross the Ohio into the Shawnee country. Major McDonald gathered some seven hundred sturdy fighters at the settlement of Zane (Wheeling), whence he shortly dashed upon some Shawnee villages on the Muskingum, and won the first success of the war. By the last of September, when Dunmore arrived to take command, there were some thirteen hundred men at Wheeling.

The real stroke of the war came on the very site of the contemplated capital of Vandalia, in the angle formed by the junction of the Kenawha with the Ohio, — Point Pleasant as it was called. The conflict here was the most hotly contested fight which the Indians ever made against the English, and it is all the more remarkable as it was the first considerable battle which they had fought without the aid of the French. Lewis, on arriving at the spot, learned from Dunmore's messages, which the governor's scouts had hidden near by, that the governor with his forces would be on the Ohio at a point higher up, where Lewis was instructed to join him. The next day new orders came, by which it appeared that Dunmore intended to turn up the Hockhocking River, and that Lewis was expected to cross the Ohio and join him in the Indian country. When Lewis was thus advised, his rear column had not come up and his trains and cattle were still struggling in the wilderness. The force which he had with him at Point Pleasant was a motley one, but for forest service a notable body, and not a frontier settlement but had contributed to it.

While Lewis was making ready to obey orders, a squad of men, out hunting, discovered that a horde of Indians was upon them. Cornstalk, a Shawnee chief, had divined Dunmore's plan and, with a strategic skill unusual with Indians, had crossed the Ohio for the purpose of beating his adversary in detail. The opposing armies were much alike in numbers, say eleven hundred each — perhaps more — and in forest wiles the difference was hardly greater. Cornstalk soon developed his plan of crowding the whites toward the point of the peninsula. Lewis pushed forward enough men to retard this onset, while he threw up a line of defence, behind which he could retire if necessary. He sent, by a concealed movement, another force along the banks of the Ohio, which gained the Indians' flank, and by an enfilading fire forced the savage line back. In the night, Cornstalk, thus worsted, recrossed the Ohio.

Meanwhile Dunmore, ascending the Hockhocking, marched

towards the Scioto, making some ravages as he went. Cornstalk, after his defeat, had hurriedly joined the tribes opposing Dunmore, but he found them so disheartened by his own discomfiture, that he soon led a deputation to Dunmore's camp, and proposed a peace. The governor, hearing of Lewis's approach, and not feeling the need of his aid in the negotiations, and fearing that the elation of the victorious borderers might disquiet the now complacent tribes, sent messages to Lewis, that he should withdraw, which Lewis reluctantly did. A treaty followed, and Dunmore got all he hoped for by bringing peace, in re-establishing a new hold for Virginia upon the territory, which, as he later learned, was on the first of the following May to pass, by action of Parliament, under a new jurisdiction. The grasp, which Virginia had now taken, was to be of great importance in the coming struggle with the king, for she had administered a defeat to the Indians, which was for some time to paralyze their power in that region. It was a grasp that Virginia was not to relax till she ceded her rights in this territory to the nascent union when the revolt of the colonies was ended, — a hold that before long she was to strengthen through the wisdom and hardihood shown in her capture of Vincennes.

Before the battle of Point Pleasant had decided the fate of the Indians, the passage of the bill, which in early summer had created so little attention in Parliament, was met in London by "a prodigious cry" in September, — a clamor that William Lee, then in England, did his best to increase by "keeping a continual fire in the papers." The bill was not to go into effect till the spring of 1775, and Carleton having returned to Canada, Dartmouth in January sent him instructions about putting it in force. The minister's letters must have crossed others from the governor, informing him of the opposition to the bill even among the French people of the province, and of the measures which the revolting colonies were taking to gain the Canadians to their cause. In Montreal the bust of the king had been defaced.

Already in the previous September, Congress had re-echoed the "prodigious cry" of London, and had declared the re-establishment of the Catholic religion in Quebec to be "dangerous in an extreme degree;" but this mistake in language was discovered, and John Dickinson drafted for that body a conciliatory address to the Canadians, which, in March, 1775, Carleton informed Dartmouth the disaffected on the St. Lawrence were printing and distributing in a translation. Within a year the lesson of prudence had been forgotten, and singularly enough while Congress (February 1776) was appointing a commission, with one Catholic member

(Charles Carroll) and a Catholic attendant, to proceed to Montreal, the ardent Huguenot blood of John Jay had colored an address of Congress to English sympathizers by characterizing the Catholic faith "as a religion fraught with sanguinary and impious tenets." It was only necessary for the loyal Canadians to translate and circulate Jay's imprudent rhetoric to make the efforts of the commissioners futile. Congress again grew wiser when it framed the Declaration of Independence, and Dr. Shea has pointed out that the allusion to the Quebec bill in that document is "so obscure that few now understand it, and on the point of religion it is silent."

Congress thus failed to undo the Quebec Act by gaining the people it was intended to shield; and it was left for Virginia, under a pressure instigated by Maryland, to make the territory, of which Parliament would have deprived her, the nucleus of a new empire beyond the mountains.

JUSTIN WINSOR.

THE CASE OF JOSIAH PHILIPS

THE case at law which forms the subject of this paper, while it cannot be said to be celebrated, has nevertheless attracted some little attention and is in itself not devoid of interest. Close students of Patrick Henry's career will remember it as the occasion of considerable criticism directed against that statesman, while to such persons as have investigated the origin of judicial power over unconstitutional legislation its name will not be unfamiliar as that of a shadowy and problematical forerunner of the more famous causes of *Holmes vs. Walton* and *Trevett vs. Weeden*. None of the historians and jurists that have mentioned it seems, however, to have thoroughly unravelled its complications or to have perceived its interest as one of the most curious examples of the use of a pure bill of attainder that can be found in our history. Its queer interest to the psychologist and student of human nature has also, and not unnaturally, been passed over by these investigators. That interest will, it is hoped, keep the pages that follow, which must of necessity deal with a mass of historical and legal details, from being caviare to the general reader of this REVIEW.

The counties of Princess Anne, Norfolk, and Nansemond form a rough quadrilateral in the southeastern corner of the map of Virginia. The first named and most eastern of the three was formed from Norfolk in 1691, the boundaries of its first parish, Lynnhaven, having been fixed, however, by an act of the Burgesses nearly fifty years previously. Apart from their connection with a well-known variety of oyster, the county and parish, covered as they are with swamps and sparsely inhabited by fishermen, could hardly be expected to furnish us with annals enlivened by many episodes of historical importance. Three such episodes are known to the present writer, the first being the trial of Grace Sherwood for witchcraft in 1706, the second being the occupation of the region by Lord Dunmore with its consequent persecution of the poor but patriotic inhabitants, and the third being the subject of this paper.¹

Josiah Philips was a laborer of Lynnhaven parish who for three years (1775-1778) gave the authorities of his state more trouble

¹ For a sketch of Lynnhaven parish see Bishop Meade's *Old Churches, etc.*, I. 246; for an account of Grace Sherwood's trial, see Howe's *Hist. Coll. of Va.*, p. 435.

than any one citizen had done since the death of Nathaniel Bacon. Why he should have left his peaceful calling, whatever it may have been, and become a public enemy and robber is not known and is now little likely to be discovered. Certain it is, however, that he headed a dangerous insurrection in the counties of Princess Anne and Norfolk, that he aided Dunmore in his designs, and that many poor and innocent people were made the victims of atrocious outrages committed by his followers. The country was admirably suited for the operations of the bandits, for the numerous swamps afforded impenetrable hiding-places and at the same time so separated the country people from one another that they could be attacked by families. Of course the robbers had their own friends who helped them to escape and threw the officers of justice off the scent, and the distracted state of the Commonwealth, owing to the pressure of war and to Dunmore's presence, enabled them to pursue their calling with a hardihood which would have been impossible in times of peace.

The first reference to Philips that has been unearthed occurs in the *Journal of the Convention* for 1775 (page 9). A letter was read in that body on Thursday, August 3, from the officers of the volunteer companies of Williamsburg, stating "that one *Philips* commanded an ignorant disorderly mob, in direct opposition to the measures of this country, and they wished to crush such attempts in embryo." There is little doubt that this letter marks the time when the first vague rumors of Philips' doings reached Williamsburg.

For nearly two years nothing more is heard of the man, but it is evident that he was not idle, for on the 20th of June, 1777, we find the Privy Council advising the Governor, Patrick Henry, to offer a reward of one hundred and fifty dollars to whoever should apprehend and "convey to a magistrate at Norfolk County" any one of three designated persons, — Livy Sykes, Josiah Phil[ilips], or John Ashley. This action was taken in consideration of a letter from John Wilson, county lieutenant of Norfolk, complaining of the misdeeds of insurgents and robbers, numbering ten or twelve, and headed by the above-named ringleaders.¹

The proclamation issued by Henry on the same day with the meeting of the Council referred to above seems to have been successful, for on January 3, 1778, the Council authorized the governor to issue a warrant for fifty-five pounds, "for the purpose of rewarding sundry persons for apprehending Josiah Philips."² But the

¹ *Journal of the Privy Council* (MS.), 1777-8, p. 19.

² *Council Journal*, 1777-8, p. 166.

money was spent to little purpose, for on Friday, May 1, we find Philips at the head of a band of fifty men with a price of five hundred dollars on his head and the militia of Nansemond ordered out against him.¹

At this point Wirt takes the matter up in his well-known life of Henry, and gives at length a letter from the above-mentioned Colonel Wilson of Norfolk to Governor Henry bearing date May 20, 1778. The writer recounts the difficulty of getting the recalcitrant Princess Anne militia to track the robbers to their hiding-places in the swamps, and, in a postscript, dated four days later, holds out as little hope with regard to the militia from Nansemond. The concluding sentence runs as follows: "We have lost Captain Wilson [whether a relative of the writer's or not, does not appear] since his return: having some private business at a neighbour's, within a mile of his own house, he was fired on by four men concealed in the house, and wounded in such a manner that he died in a few hours; and this will surely be the fate of a few others, if their request of the removal of the relations and friends of these villains be not granted which I am again pressed to solicit for. . . ."

Did not one know that this letter was written in Virginia in the last century, one might well fancy that it came from Ireland in this. Governor Henry at once laid it before the Council, but not before he had consulted Mr. Jefferson, who was decidedly the leading man in the House of Delegates. The Council recommended him to send it to the General Assembly, and to order a company of regular troops to the scene of action, which advice was followed in both respects.² Indeed, it is most likely that the letter which Henry on the advice of the Council transmitted to the Speaker of the House, the Honorable Benjamin Harrison, had been prepared at the instigation of Jefferson, before the meeting of the Council. This letter is given in Wirt and needs no comment here. Immediately upon its receipt, the governor's communication was read to the House and was referred to a committee of the whole on the state of the Commonwealth. This committee, after some discussion, resolved to consider the subject in a similar committee the next day (May 28).

The committee did consider, and reported that Philips and his associates ought to be attainted of high treason, unless they should surrender before a day in June to be subsequently determined. Messrs. Jefferson, Smith, and Tyler were then appointed a com-

¹ *Council Journal*, 1777-8, p. 246.

² *Ibid.* 1777-8, p. 260.

mittee to draw up the proper bill of attainder. They reported a bill on the same day, which in all probability had been previously drafted by Mr. Jefferson immediately after his interview with Governor Henry. This bill, which fixed the last day of June as the day of grace, may be found in Wirt and in Hening's Statutes.¹ It was read a second time on the following day (May 29) and ordered to be engrossed and read a third time. On Saturday, May 30, it was read a third time and passed, Mr. Jefferson being ordered to carry it to the Senate. Later in the same day, Mr. Holt came in from that body with a message that they had agreed to the measure. Such were the legislative steps in this remarkable case — steps the precipitancy of which was destined to elicit much criticism.²

A reference to the letter which the governor transmitted to the Speaker of the House will show that Henry made no specific recommendations as to the course the Legislature should pursue. There was no necessity for him to do so, for we learn from a letter which Jefferson wrote to Wirt many years later, that both the governor and himself had already agreed that a bill of attainder was the proper remedy.³ That Mr. Henry should have favored such a course causes no surprise; it was but consistent with his opposition to the insertion of a clause against bills of attainder in the state constitution of 1776, an opposition which, according to Edmund Randolph,⁴ defeated the proposal. But it is a little surprising to find the philosophic Jefferson, the friend of liberty and of the rights of man, not only agreeing in such a measure, but drawing up the bill of attainder with his own hand, and defending his action nearly forty years later.⁵ It may be well to remember, however, that not long since he had thought himself threatened with attainder by the English Parliament, and that, therefore, he might have thought retaliation to the very letter amply justified in those warlike times.

¹ Hening, IX. 463.

² Wirt gives a full account of these steps, but errs in representing the Senate to have kept the bill over Sunday. Mr. Ford (Jefferson's *Writings*, II. 149, note) speaks of it as passed on the 29th. See Henry's *Henry*, I. 611-613. The facts cited may be verified by reference to the House Journal for 1778 (Spring Session), pp. 20, 22, 24, 28, 33, 35.

³ Jefferson's *Works*, VI. 369.

⁴ This is clear from a statement made on p. 66 of Edmund Randolph's *History of Virginia*, the fragmentary manuscript of which belongs to the Virginia Historical Society.

⁵ That Mr. Jefferson drew up the bill is evident, first, from his consultation with Henry, and from the short time the committee took to report the bill; secondly, from the fact that the report of the committee of the whole has been found in Jefferson's own handwriting.

Within six weeks from the passage of the act of attainder, Philips and at least three others of his band were captured and brought to Williamsburg. Two entries in the Council Journal,¹ respecting rewards, are our sole information in regard to the capture itself; but we can form some idea of the fear caused by the desperadoes from the fact that a petition was sent to the Council, signed by a number of the inhabitants of Princess Anne and Norfolk, "praying that a strong and sufficient guard" might "be kept over Philips and the rest of the Prisoners of his daring party of Robbers. . . ." ²

The records of the General Court having been destroyed during the late war, we are indebted to the appendix to Wirt's *Henry* for what we know about the trial of the outlaws. From the extracts which Mr. Wirt had made from the records, we learn that on October 20, 1778, Philips was indicted for feloniously taking from one James Hargrove "twenty-eight men's felt hats of the value of twenty shillings each, and five pounds of twine of the value of five shillings each pound." Of this offence, a jury found him guilty on the same day, and seven days later he was brought to the bar and, having no new plea to make (he had previously pleaded a commission from Dunmore), was sentenced to be hanged. The next day (October 28) the court ordered that the execution should take place on Friday, the fourth of December. Wirt concludes his appendix with an extract from Dixon and Hunter's newspaper of December 4, 1778, showing that the execution of Philips and at least two of his associates did actually take place. We have thus followed Philips the man to his deserved fate, and can afford to dismiss all further thought of him, except as the subject of his own *case*.

The question at once arises — why was Philips tried for robbery when by the very terms of the act of attainder nothing was necessary but an order of the General Court for his execution? Why should the attorney-general, Edmund Randolph, have risked the chances, slight though they were, of acquittal, and the still greater chances of rescue or escape from prison consequent upon delay? Upon this point hinges, for the most part, the interest that attaches to the Philips case; but before entering upon its discussion we must imagine that ten years have passed by, and that we are listening intently to the debate going on in the convention which sits in the Public Buildings in the town of Richmond for the pur-

¹ *Council Journal*, 1777-78, pp. 310, 348. See also *Journal of the House of Delegates*, 2d Session, 1778, pp. 39, 55.

² *Council Journal*, 1777-78, p. 296.

pose of determining whether Virginia shall ratify the new Constitution that has recently been submitted to the states.

It is the 6th of June. The governor of the state, Edmund Randolph, is addressing the convention with an eloquence which, if it equals his disregard for facts, must produce a profound impression. He is speaking of violations of the Constitution, and he says:—

“There is one example of this violation in Virginia, of a most striking and shocking nature—an example so horrid, that if I conceived my country would passively permit a repetition of it, dear as it is to me, I would seek means of expatriating myself from it. A man, who was then a citizen, was deprived of his life thus: from a mere reliance on general reports, a gentleman in the House of Delegates informed the house that a certain man (Josiah Philips) had committed several crimes, and was running at large, perpetrating other crimes. He therefore moved for leave to attain him; he obtained that leave instantly; no sooner did he obtain it than he drew from his pocket a bill ready written for that effect; it was read three times in one day, and carried to the Senate. I will not say that it passed the same day through the Senate, but he was attainted very speedily and precipitately, without any proof better than vague reports. Without being confronted with his accusers and witnesses, without the privilege of calling for evidence in his behalf, he was sentenced to death and was afterwards actually executed. Was this arbitrary deprivation of life, the dearest gift of God to man, consistent with the genius of a republican government? Is this compatible with the spirit of freedom? This, sir, has made the deepest impression on my heart, and I cannot contemplate it without horror.”¹

Whatever may have been the impression made upon Mr. Randolph's heart, it cannot be difficult to estimate the impression made upon his head. The only point upon which he expressed himself as doubtful was almost the only point about which he was correct; and what are we to say of his misrepresentations when we remember that he was not only attorney-general at the time of Philips' trial, but also clerk of the House of Delegates at the time the act of attainder was passed?

On the following day Mr. Henry rose to reply to Governor Randolph; yet, *mirabile dictu*! he did not controvert a single misstatement, but, admitting that Philips had not been executed according to “beautiful legal ceremonies,” proceeded to justify

¹ Elliot's Debates — Virginia, p. 66.

the passage of the act.¹ Henry was governor at the time of the trial and must have known all its particulars; his silence in the face of Randolph's charges can be explained, if at all, only by Jefferson's supposition that he forgot himself in the excitement of debate. In the course of his remarks Henry made the unfortunate, but perfectly true and intelligible, statement that Philips was no Socrates, whereupon Governor Randolph and John Marshall took occasion to charge him with maintaining that, because Philips was poor and ignorant, therefore he ought to have been attainted—a proceeding more creditable to their ingenuity than to their ingenuousness.²

Other members referred to the case, and all but one of the speakers assumed Randolph's representations to be correct.³ Edmund Pendleton touched upon the matter six days later⁴ (June 12), but unfortunately spoke so low that his words escaped the reporter. It is doubtful, however, whether he corrected Randolph, for three days afterwards we find Mr. George Nicholas affirming a bill of rights to be but a paper check, since Philips was executed without a trial.⁵ We shall have occasion to refer to Pendleton's remarks hereafter; at present we can only wonder that such palpable misrepresentations, reflecting as they did upon the honor of the legislature, passed without contradiction in a convention which contained not only those who had been attorney-general and governor at the time of the trial, but also the speaker of the house who had signed the bill, one, if not two, of the committeemen who had been appointed to draft it, one of the privy councillors who had discussed the case, and three of the bench of judges who had tried Philips for robbery.⁶ But we may leave the explanation of this colossal case of forgetfulness to the professed psychologist, and return to a discussion of the question just now raised—why Randolph had Philips indicted for robbery.

In Judge Tucker's *Blackstone*, first published in 1803,⁷ may be found the following statement with regard to our case:—

“In May, 1778, an act passed in Virginia, to attain one Josiah Philips, unless he should render himself to justice, within a limited time: he was taken, after the time had expired, and was brought before the general court to receive sentence of execution pursuant to the directions of the act. But the court refused to pass the

¹ Elliot, p. 140.

³ Ibid. pp. 236, 274.

⁵ Ibid. p. 450.

² Ibid. pp. 193, 223.

⁴ Ibid. p. 298.

⁶ Randolph, Henry, Benjamin Harrison, John Tyler, Meriwether Smith (?), James Madison, Joseph Jones, John Blair, and Paul Carrington.

⁷ Vol. I., Appendix, p. 293.

sentence, and he was put upon his trial, according to the ordinary course of law. — This is a decisive proof of the importance of the separation of the powers of government, and of the independence of the judiciary; a dependent judiciary might have executed the law, whilst they execrated the principles upon which it was founded."

If this view be correct, the importance of the Philips case from a constitutional point of view is manifest, for it was not until nearly two years later that Chief Justice Brearley of New Jersey delivered his opinion in the better known case of *Holmes vs. Walton*. But Judge Tucker's view has been called into question.

When Mr. Wirt was writing his life of Henry he was in the habit of applying to Mr. Jefferson for information — which was not always promptly furnished. On the 14th of August, 1814, however, he did write to Wirt about the Philips case;¹ and nearly a year later he furnished Mr. Girardin, who continued Burk's *History of Virginia*, with additional information.² From these two letters we see that he was perfectly aware of the flimsy character of Randolph's treatment of the case, and that he was equally opposed to the views of Judge Tucker that have just been cited. He says distinctly that Randolph told him, the first time they met after the Philips trial, that when Philips was taken, he (Randolph) "had thought it best to make no use of the act of attainder, and to take no measure under it; that he had indicted him at the common law for murder or robbery" — Jefferson forgot which. He then adds that the record of the case must decide between Randolph's statements to himself and the statements of the same worthy on the floor of the Convention.

The question before us, then, assumes the following forms: Did the attorney-general, of his own motion, disregard the provisions of the act and have Philips indicted for robbery, or did the court refuse in set terms to carry out the act by ordering the execution of the attainted traitor, or was the attorney-general led to understand that such would be the judges' action, whereupon of his own motion, or at their advice, he caused Philips to be indicted at common law?

Of these three forms the first may be summarily dismissed. In the only direct statement that we have from Randolph he stultifies himself by saying that Philips was really executed under the act of attainder. Then we have the very different statement

¹ Jefferson, *Works*, VI. 369.

² Jefferson, *Works*, VI. 439 (Congressional edition; Ford's ed., II. 150-154, note); Girardin, pp. 305, 306.

made to Jefferson in which Randolph takes to himself the credit of having disregarded the act—which statement, be it remembered, comes to us in a letter written by Jefferson in his old age, at least thirty years after the conversation described took place. To put it mildly, there are some slight discrepancies here; and if Randolph could be so egregiously mistaken at one time, why should he not have been mistaken at another?

The second form of the question is the one to which Judge Tucker's authority lends countenance for an affirmative answer. The learned judge has long been known as an eminent lawyer and a painstaking writer. Would he have permitted himself to make so important a statement without having investigated the subject carefully? Besides, he was in a peculiarly favorable situation for learning the facts of the case. He had been made a judge of the General Court in 1787, when two of the judges at the time of the Philips trial were still on the same bench; and he was thrown into intimate association with two ex-judges of the same period.¹ Should not these men have known the facts, and would Tucker have dared to write as he did without consulting them?

On the other hand, it must be remembered that the judges kept quiet when Philips' case was being discussed in the Convention, and that Judge Tucker is by no means explicit in giving their grounds for the action attributed to them. There was no direct prohibition of bills of attainder in the Virginia Constitution of 1776, and although in 1782 in *Commonwealth vs. Caton*² we find the judges of the same court, with one exception, clear as to their right to declare a plainly unconstitutional act void, it is at least likely that they would have hesitated openly to claim this right in 1778 upon a very doubtful point and under a constitution not formally ratified by the people. They might all have agreed that bills of attainder were dangerous, and yet some might have held as the Supreme Court of the United States did subsequently in *Cooper vs. Telfair*³—that unless such acts were specially prohibited by the state constitution, the right to make use of them inhered in the state legislature—a right, of course, taken away by the Federal Constitution. On the other hand, they might have found latitude enough in the principle laid down by the Supreme Court of South Carolina in the case of *Bowman vs. Middleton* (1 Bay, 252) that a certain title, though based on a legislative act, could not be claimed, "being against common right and the

¹ Paul Carrington, Bartholomew Dandridge, John Blair, and Joseph Jones.

² 4 Call, 5-21.

³ 4 Dallas, 14.

principles of *Magna Charta*." It seems unlikely, however, that Virginia judges took this stand.

The third form of our question appears best to deserve, on the whole, an affirmative answer. Granted that the judges did not particularly relish having to order a man to execution without a trial, and that they discussed among themselves the propriety of neglecting the provisions of the act of attainder; and granted, furthermore, that they intimated their views to Randolph, with the advice to indict Philips at common law, or that Randolph, learning their views in some way, feared that his prisoner would escape, and so indicted him, — and we have a solution that harmonizes well with the facts already cited. Furthermore, Randolph in his conversation with Jefferson might, intentionally or unintentionally, have given the latter to understand that *he* took the initiative in the affair; and Judge Tucker, reviewing the reminiscences of his colleagues in the light of a developed doctrine,¹ might easily have persuaded himself to transform a mere reluctance to perform a doubtful act into a positive refusal so to do. For we have the distinct statement of Edmund Pendleton, on the floor of the Convention, that the judges "felt great uneasiness in their minds, to violate the Constitution by such a law," followed by the apologetic statement that they had "prevented some unconstitutional acts,"² the inference, of course, being that they did not speak out plainly in the Philips case. Two very contradictory statements are thus reconciled at the expense, not of the honor, but of the memory, of the parties respectively making them, and a partial explanation is thus given of the silence of the judges in the Convention. A full explanation on their part might have revealed the fact that in 1778 they were not fully prepared to assert their independence of the legislature and their supervisory powers over its acts.

It would be interesting to know whether the Philips case was cited in the Philadelphia Convention of 1787 when the clause forbidding the states to make use of bills of attainder was under discussion; but the Journal is silent on the point. It would be

¹ *Marbury vs. Madison* (1803) is, of course, the great case that marks the development of the doctrine as far as the General Government is concerned; but one has only to read carefully the opinions in *Commonwealth vs. Caton* (1782, 4 Call, 5-21); in the *Case of the Judges* (1788 — see Hening, XII. 532, 644, 764; *Journal of House of Delegates*, Extra Session, June 23-30, 1788; 4 Call; 1 *Virginia Cases*), and in *Kemper vs. Hawkins* (1793, 1 *Virginia Cases*, 20), to see whence Marshall derived the lucidity and boldness that marked his historic utterances. President Lyon G. Tyler deserves credit for having called emphatic attention to a fact still strangely overlooked by students of Marshall's career. See his *Letters and Times of the Tylers*, I. 177 seq.

² Elliot, p. 299.

interesting also to compare the case with other instances of the use of bills of attainder in this country; but space is wanting, nor has the writer had access to as full materials as he could desire. As the numerous acts passed against Tories after the Revolution began were more for purposes of confiscation of property than of capture and punishment of offenders, they cannot profitably be compared with the act against Philips, in whose case capture and punishment constituted the main objects of the legislators. When the latter act is compared with those passed against William Claiborne (Maryland, 1637), Bacon and his followers (Virginia, 1677), Billy, an escaped slave (Virginia, 1701, —a curious case), and Richard Clarke (Maryland, 1705), it will be seen that not only is the Philips case a perfect example of the deliberate use of the dread power of attainder, but that it teaches us that written instruments are not, in troublous times, the inviolable safeguards of individual liberty that they are often supposed to be. The attainder of Josiah Philips was approved by men who, not two years before, had discussed and adopted the Declaration of Rights drafted by George Mason.

W. P. TRENT.

LIGHT ON THE UNDERGROUND RAILROAD¹

THE so-called Underground Railroad, as a phase of our anti-slavery history, has thus far been subjected to very limited critical study. Henry Wilson speaks of the romantic interest attaching to the mass of incidents which makes up the printed sources on the subject, but for some reason the romance of this theme—not outdone by the reality disclosed by investigation—has been insufficient to attract extended research.

There are only four books dealing specifically with the subject: namely, the *Reminiscences of Levi Coffin; Underground Railroad Records*, by William Still; the *Underground Railroad in Chester and the Neighboring Counties of Pennsylvania*, by R. C. Smedley; and the *Underground Railroad*, by Rev. W. M. Mitchell. An examination of them shows how circumscribed and local in character is the literature upon the subject, and warrants hopes of discovery for the student who has faith and patience enough to keep him collecting the hidden, scattered data. He can scarcely expect to find much in the way of documents and diaries. The legislative restraints upon the rendering of aid to slaves bent on flight to Canada were, of course, very real to the minds of those who pitied the bondsman, whether the well-informed lawyer, like Salmon P. Chase and Joshua R. Giddings, or the illiterate negro whose fellow-feeling was sufficiently sagacious to avoid the open violation of what others might call the law of the land. Written evidence of complicity was for the most part conscientiously avoided, and the occasional tell-tale letter or the rare fragment of a memorandum now to be found, bears unmistakable signs of intended secrecy. The proper names are blotted out, or a cipher is employed. The history of the Underground Railroad must be written, therefore, if it be written at all, out of the recollections of abolitionists as the main source of information.

Underground operations practically ceased with the beginning of the Civil War. In view of the lapse of time, the reason for

¹ This article is a preliminary study. As the writer is still in search of data, he will be glad to correspond with any persons having information on the subject. Address, W. H. Siebert, 40 Shepard Street, Cambridge, Mass.

saying something about the credibility of the evidence upon which our knowledge of the Underground Road must be based is apparent. It is a fact of common observation that old persons ordinarily remember the occurrences of their youth and prime better than events of recent date. The abolitionists, as a class, were people whose remembrances of the ante-bellum days were deepened by the clear definition of their governing principles, the abiding sense of their religious convictions, and the extraordinary conditions—legal and social—under which their acts were performed. The risks these persons ran, the few and scattered friends they had, the concentration of their interests into small compass because of the disdain of the communities where they lived, have secured to us a source of knowledge of which the reliability can scarcely be questioned. If there be a single doubt on this point it must give way before the manner in which statements gathered from different localities during the last four years articulate together, the testimony of witnesses unknown to each other combining to support each other.

The elucidation by new light of some obscure matter already reported, the verification by a fresh witness of some fact already discovered, gives at once the rule and test of an investigation such as this. Out of the many illustrations which might be given I offer one. Having grounds for believing that Portsmouth, Ohio, was one of the initial stations of an underground line of travel, I obtained, by correspondence with Mr. Henry Hall, the mayor of the town, a letter stating that Milton Kennedy and his brother-in-law Joseph Ashton had aided fugitive slaves in that neighborhood, and urging that I visit Portsmouth in order to get fuller information. When, after nineteen months, I got to Portsmouth, Mr. Kennedy was in the West, but I made the acquaintance of an intelligent colored man—a barber, J. J. Minor by name—himself an old-time “agent” of the “road,” who corroborated the report about Mr. Kennedy’s connections with the underground work, and gave a straightforward account of what he called “the regular line” up the Chillicothe pike seven miles, to the houses of two colored men (Dan Lucas and Joseph Love), and thence to a settlement of colored people in Peble township in the north central part of Pike County.

To make even a partial collection of this scattered material has been a long task. During the last four years, in the intervals of respite from teaching, I have gathered some twenty-five hundred written or dictated statements, and have made an effort to visit all the places in the state of Ohio where former employés of the

Underground Railroad could be found. Last year I was able to extend these explorations to southern Michigan, and among the surviving fugitives along the Detroit River in Canada West.

The materials thus collected relate to the following states, viz.: Iowa, Illinois, Indiana, Ohio, Michigan, Pennsylvania, New Jersey, New York, Connecticut, New Hampshire, Rhode Island, Massachusetts, Vermont, and Maine, with a few items concerning Delaware, Maryland, and Wisconsin. A casual comparison of the red-line tracings in different states on the map will show the relative extent in the various states of the underground lines of travel thus far unearthed.

Attention is called to several noteworthy points on the map. The first deserving mention is the most striking, viz., the geographical extent of these secret routes to liberty. The region traversed by the paths forms nearly one-quarter of the present area of the Union. The concavity of its irregular crescent shape brought Canadian freedom close enough to attract slaves not merely from the border slave states, but from the Carolinas, Tennessee, and even in rare cases from "the far South." The second point to be noted is the relatively large number of interlaced lines by which Ohio is crossed. The general trend of these is, of course, towards Lake Erie. The explanation of this multitude of fugitive trails through Ohio is a little complex, but the complexity can easily be disentangled. The state's geographical position and the reach of its southern boundary gave it a longer line of contact with slave territory than that possessed by any other state. It bordered Kentucky with some two hundred and seventy-five miles of river frontage and Virginia with a hundred and fifty miles or more. The crossing of this "Jordan" of the slave was made at almost any point where a boat could be found. That the character of the early settlements in Ohio is a factor not to be omitted is proved by the close network of paths which zigzag from Marietta across the Western Reserve to places of deportation on the lake, linking together many little communities where New England ideas prevailed. With Joshua R. Giddings these communities claimed to have borrowed their abolition sentiments from the writings of Jefferson, whose "abolition tract," Giddings said, "was called the Declaration of Independence."¹

It must not be forgotten in dealing with this comparative showing of Ohio and other states that the energy of this research has been largely confined to Ohio. Perhaps similar lines may be traced in Pennsylvania.

¹ *Life of Joshua R. Giddings*, by George W. Julian, p. 157.

The zigzag character of the routes has just been mentioned. It deserves, perhaps, some emphasis, as also the radiation in frequent cases of several lines from one centre, and the horizontal connections of routes which, roughly speaking, are parallel. This constitutes our third point. The features mentioned are characteristic, and serve to show that the safety of fugitives was never sacrificed by the abolitionists to any thoughtless desire for rapid transit. Zigzag was the sure mode. It was one of the regular devices to blind and throw off pursuit, just as was conveyance after night. In times of special emergency travellers would be switched off from one course to another, or taken back on their track and hidden for days or even weeks, then sent forward again. It can scarcely be doubted that the circuitous land route from Toledo to Detroit was a natural expedient of this kind. Slave-owners and their agents were often known to be on the lookout along the direct thoroughfare between the places named. Notwithstanding the extreme severity of the fugitive slave law of 1850, the number of arrests of persons claimed as fugitives during the five years and eight months after its passage was somewhat more than two hundred.¹ These were the known captures. There may have been many others which never attracted attention. It is highly probable that but few of these are chargeable to the carelessness or cowardice of parties engaged in the underground service.

A fourth point which the map might suggest relates to a few long stretches of road which had apparently no way-stations where the footsore refugee could get rest and food preparatory to the next night's journey. It will be noticed that such sections are drawn as being identical with certain branches of the canal and railway systems of different states. The tow-paths of some of our western canals formed convenient highways to liberty for a considerable number of self-reliant fugitives. A letter of recent date (December 5, 1895), from Bloomfield, Ind., illustrates this fact. The writer (E. C. H. Cavins) states that the Wabash and Erie Canal became a thoroughfare for slaves, who would follow it from the vicinity of Evansville, Ind., until they reached Ohio, probably

¹ "More than two hundred arrests of persons claimed as fugitives were made from the time of the passage of the Bill to the middle of April, 1856. . . . These arrests took place more frequently in Pennsylvania than in any other Northern state. Many fugitives were caught and carried back, of whom we have no account. . . . When arrests to the number of two hundred, at least, can be traced, and their dates fixed, during six years, we may suppose that the Bill was not, as some politicians averred, practically of little consequence." — *Life and Correspondence of Theodore Parker*, by John Weiss, Vol. II. p. 93.

in some instances going as far as Toledo, though usually, as the writer believes, striking off on one or another of several established lines of underground road in central and northern Indiana. The identity of a few of the tracings with the road-beds of the modern type of railway signifies, of course, transportation by rail when the situation would admit of it. Sometimes, when there was not the usual eagerness of pursuit, and when the intelligence or Caucasian cast of the fugitive warranted it, the traveller, with the necessary ticket and instructions, was put aboard the cars for his or her destination. In Illinois the Illinois Central Railroad from Centralia, Marion County, to Chicago was incorporated in the underground service; so also was the Chicago and Rock Island Railroad from Peru, LaSalle County, to the same terminus. The old Mad River Railroad (or Sandusky, Dayton, and Cincinnati Railroad of western Ohio — now a part of the "Big Four" system) bore many dark-skinned passengers from Urbana, if not also from Cincinnati and Dayton, to Lake Erie. In eastern Ohio the Cleveland and Pittsburg Railroad, from Alliance to Cleveland, was much patronized during several years by instructed runaways. Similar benefits were rendered by certain railroads in New England, some of whose officials were abolitionists. The New York, New Haven, and Hartford Railroad and the Vermont Central may be cited as instances.

In the fifth place, attention is asked to the terminals or places of deportation along our northern and northeastern boundary. There were eighteen of these. Of course these ports were not called upon to send to English soil all those who liberated themselves by flight. Doubtless many, many hundreds, little realizing the risks they were taking, settled in the Northern states, in neighborhoods where the presence of Quakers, Wesleyan Methodists, Covenanters, and Free Presbyterians, or people of their own color, gave them the assurance of safety. The disappearance from their accustomed haunts of many of these fugitive settlers in the free states, after the passage of the fugitive slave bill of 1850, and the sudden influx of blacks over the Canadian borders, are two complementary facts whose significance is best seen when they are taken together.

There is one other point graphically displayed, viz., the lines of boat service to the Canada termini. Among the steamboats which plied their traffic on the lakes there were some whose captains were ever ready to give passage to colored emigrants. Captain Willibur of the *Michigan* welcomed a band of fugitives who came aboard his boat at Sandusky, with the greeting: "Well, I

wish all Kentucky was aboard." It frequently happened that both pursuers and pursued would find themselves in company on the same steamer. Under such circumstances, the abolitionist captain chose to touch at some point on the Canadian side, before landing at an American port. The *Illinois*, running between Chicago and Detroit; the *Bay City*, the *Arrow*, and the *Mayflower*, between Sandusky and Detroit; the *Forest Queen*, the *Morning Star*, and the *May Queen*, between Cleveland and Detroit; the *Phæbus*, a little boat plying between Toledo and Detroit, as well as some scows and sail-boats, are among the old crafts of the great lakes held in grateful remembrance by the aged survivors of fugitive slave days in Canada West. Vessels engaged in our coast-wise trade became more or less involved in transporting slaves from Southern ports, for example, from Norfolk and Portsmouth, Va., to the New England coast, sometimes without the knowledge of the shipmaster; sometimes, no doubt, with his connivance, or with the knowledge of his men. North-bound steamboats on the Mississippi and Ohio rivers not infrequently provided the means of escape.

The origin of the Underground Road dates farther back than is generally known, though, to be sure, the different "divisions" of the road were not contemporary in development. A letter of George Washington, bearing date May 12, 1786, gives the first report, so far as I know, of the earliest systematic efforts for the aid and protection of fugitive slaves. He speaks of the case of a certain Mr. Dalby, residing at Alexandria, whose slave has escaped to Philadelphia, and "whom a society of Quakers in the city, formed for such purposes, have attempted to liberate."¹ From the beginning of 1800, if not in the preceding decade, we may safely regard as continuous the record of Philadelphia as a centre of active sympathy with the fugitive slave. New Jersey engaged in the cause of immediate emancipation nearly, if not quite, as early. The work in Ohio and the adjoining states appears to have commenced at least as far back as 1816-1817. The first known case of the despatching of a fugitive from Chicago to Canada occurred in 1839, and the befriending of Missouri chattels in southeastern Iowa began in this same year. The New England states are also known to have had "regular stations"—as the places of concealment were called—by this time. The Underground Railroad, then, had grown into a wide-spread "institution" before the year 1840, and in several states it had existed during

¹ Sparks's *Washington*, IX. 158, quoted in *Quakers of Pennsylvania*, by Dr. A. C. Applegarth, Johns Hopkins Studies, X. 463.

previous decades. This statement coincides with the findings of Dr. Samuel G. Howe in Canada, while on a tour of investigation there, in 1863. He reports that the arrivals of runaway slaves in the Dominion "were at first very rare, . . . but" that "they increased early in the century. . . ." He continues that "some [of the fugitives], not content with personal freedom and happiness, went secretly back to their old homes, and brought away their wives and children at much peril and cost. . . . Hundreds," he says, "trod this path [referring to the Underground Road] every year, but they did not attract much public attention."¹ It does not escape Mr. Howe's consideration, however, that the fugitive slaves in Canada were soon brought into public notice by the diplomatic negotiations between England and the United States during the years 1826-1828, the object of those negotiations being—as Mr. Clay, the Secretary of State, himself declared—"to provide for a growing evil." The evidence gathered from surviving abolitionists in the states adjacent to the lakes shows an increased activity of the Underground Road during the period 1830-1840. The reason for flight, given by the slave, was in the great majority of cases the same, viz., fear of being sold to the far South. It is certainly significant in this connection, that the decade above mentioned witnessed the removal of the Indians from the Gulf states and, in the words of another contemporary observer and reporter, "the consequent opening of new and vast cotton fields." This observing person continues aptly: "Since 1840, the high price of slaves may be supposed . . . to have increased the vigilance and energy with which the recapture of fugitives is followed up, and to have augmented the number of free negroes reduced to slavery by kidnappers. Indeed, it has led to a proposition being quite seriously entertained in Virginia, of enslaving the whole body of the free negroes in that state by legislative enactment."² The swelling emphasis laid upon the value of their escaped slaves by the Southern representatives in Congress, and by the South generally, resounded with terrific force at length, in the fugitive slave law of 1850. That act did not, as it appears, check or diminish in any way the number of underground rescues. In spite of the exhibit on fugitive slaves made in the United States census report for 1860, it is difficult to doubt the consensus of testimony of many underground agents, so-called, to the effect that

¹ *The Refugees from Slavery in Canada West*, Report to the Freedman's Inquiry Commission, by S. G. Howe, 1864, pp. 11, 12.

² G. M. Weston, in his *Progress of Slavery in the United States*, Washington, D.C., 1858, pp. 22, 23.

the decade from 1850-1860 was the period of the road's greatest activity in all sections of the North.

How great may have been the loss sustained by slave-owners through the hidden channels of escape I cannot now undertake to estimate. But I am constrained to say that those who compiled the statistics on fugitive slaves in the United States census compendiums for 1850 and 1860 seem not to have secured the facts in full. These compendiums show a marked decline of the slave population in the border slave states during the decade intervening; still more, they show a greater percentage of decline in the northernmost counties of these states than in the states as a whole; and, what is even more remarkable, the loss is a little greater during this time in the four "pan-handle" counties of Virginia than in any of the states referred to, or in the border counties of any one of them. It is natural that there should be great variation among the guesses made as to the total number of those indebted for liberty to the Underground Road. To add another guess would be only increasing the uncertainty. There were very, very few of the persons who harbored runaways indiscreet enough to keep a register of their hunted visitors. Their hospitality was equal to all possible demands, but it was none the less meant to be kept strictly secret. Under these circumstances one should handle all numerical generalizations with caution.

What one usually gets from the aged man who endured hazards and ill-repute for conscience' sake is an account of a small number of peculiar or stirring cases which came within his observation; for example, hairbreadth escapes of fugitives from recapture, the successful flight of a slave family, or of an octoroon girl, and so forth. Aside from such data one gets sometimes a pretty definite impression of the frequency of the trips made over one or another route, and even, in rare instances, a positive statement as to the number sheltered in a single household or a certain locality during a more or less limited period.

By rare good luck I happen to have found one leaf of a diary kept by a Friend or Quaker of Alum Creek Settlement, Delaware County, Ohio, which gives a record of the blacks passing through his neighborhood during an interval of five months,—from April 14 to September 10, 1844. The number he gives is forty-seven. The year in which this memorandum was made may be fairly taken as an average year and the line on which this Quaker settlement was a station as a representative underground route in Ohio. Now along Ohio's southern border there were the initial stations of at least twelve important lines of travel, some of which were

certainly in operation before 1830. Let us consider, as we may properly, that the period of operation continued from 1830 to 1860. Taking these as the elements for a computation, one discovers that Ohio alone must have aided not less than 40,000 fugitives in the thirty years included in our reckoning. By actual count it is found that the number of persons within Ohio, named as underground workers in the collections upon which this paper is largely based, is 1076. It is proper to observe that this figure is a minimum figure. Death and infirmity, as well as removal, have carried many unknown operators beyond the chance of discovery.

One other illustration of underground activity may here be ventured. Mr. Robert Purvis, of Philadelphia, states that he kept a record of the fugitives who passed through the hands of the Vigilance Committee of Philadelphia for a long period, till the trepidation of his family after the passage of the fugitive slave bill in 1850 caused him to destroy it. His record book showed, he says, an average of one a day sent northward. In other words, between 1835 and 1860 over 9000 runaways were aided in Philadelphia. But we know that the Vigilance Committee did not inaugurate this sort of work in the Quaker City, and that underground activities there date back at least to the time of Isaac T. Hopper's earliest efforts, that is, 1800 and before.

In bringing together the testimony presented in this paper, I have kept myself to original sources, and have quoted eye-witnesses only. The limitations of space prevent my saying aught of the concurrent or indirect results of the Underground Road and its workings. Its operations constantly produced aggravation in the South, and the pursuit of passengers, mobs, and violence were results widely witnessed in the North. In just this way many Northern men received their first impression of the abomination of slavery. Such object lessons made abolitionists rapidly, and more aggravation on both sides was the consequence. Thus for years the fugitive slave was a missionary in the cause of freedom. What he could accomplish under favorable circumstances is seen in the impression he produced on the thoughts of a lady who was herself an agent of the Underground Railroad, — Mrs. Stowe, the author of *Uncle Tom's Cabin*.

WILBUR H. SIEBERT.

THE FIRST SIX WEEKS OF McCLELLAN'S PENINSULAR CAMPAIGN

IF one desires to read a chapter of blunders, or wishes to show how costly it is for a peace-loving people devoted to an industrial civilization to learn the lesson of war, or if he would have an example how decisive events fail of accomplishment wholly for the lack of a great general, let him read the story of McClellan's Peninsular Campaign. The plan itself was an unfortunate one. Not that from a military point of view it was inherently bad, for that contention is probably disposed of by the fact that twice and perhaps thrice during its attempted execution the chances were more than even that McClellan's noble and faithful army would go into Richmond had he given the word of attack, and had he been present on the field of battle to issue the orders and to make the disposition of forces that hardly would have failed to suggest themselves to a man of his technical training. The plan of the Peninsular Campaign was an unfortunate one, from the fact that the President's consent to it had actually been wrung from him, his objection being that to make the advance upon Richmond *via* Fortress Monroe and the peninsula between the York and James rivers deprived Washington of the protection of the main Federal army. Had McClellan been a man who looked at facts as they were, instead of as he wished them to be, he would have appreciated that he could not expect as perfect co-operation from Lincoln as if he had determined upon a direct advance overland to Richmond, which was the plan favored by the President, and which at least had equal military merit with the other. The second blunder lay in the misunderstanding between Lincoln and McClellan as to the proper force which should be left to protect Washington, and which resulted in the withdrawal from the General's command of McDowell's corps of 35,000 men. Yet as it is the consensus of opinion that it was the lack of generalship and not the lack of men which caused the failure of the campaign, that failure may not be imputed to the President for doing what in his best judgment was necessary to do for the safety of the capital.

April 2, 1862, McClellan reached Fortress Monroe. April 3, according to his own figures, he had with him, ready to move,

58,000 men; and the rest of his force, which he maintains made his effective total but 85,000, and which the President insisted made 108,000, was coming to him as fast as transports could bring them from Alexandria. April 4 the army began to move, and the next day appeared along the whole front of the Confederate line, which stretched from Yorktown across to the James River, a distance of thirteen miles. To hold this line Magruder had 11,000 men, and his reinforcements were arriving very slowly. McClellan's general report, written August 4, 1863, confirmed as it is by a private letter written to his wife when he was before Yorktown, makes it clear that he entertained a simple and correct plan of operations, which was by rapid movements to drive the enemy before him, open the James River, advance on Richmond and attack it before the Confederate Army of Northern Virginia could receive large reinforcements. Political as well as military considerations favored such a course. The Union victories in the Southwest, chief of which was the capture of Fort Donelson, had caused gloom and demoralization in the capital of the Confederacy, and the recovery from the depression had at this time only begun. A quick advance menacing Richmond would have intensified the dismay of its citizens. McClellan was before the Confederate line of Yorktown with 58,000 troops, reinforcements constantly arriving, and that line was defended by only 11,000. Why did he not make an attack? "Instant assault," he wrote, August 4, 1863, "would have been simple folly." Several excellent authorities maintain, on the contrary, that it would have been the highest wisdom. Indeed, no knowledge of military criticism is necessary to see that unless an army of 58,000 could break through a long line defended by only 11,000, it had no business to venture on an offensive movement. Moreover, McClellan had the authority of his government to make an assault, and in a war waged by a republic such backing ought to be grateful to its general. April 6 the President telegraphed him, "I think you better break the enemy's line from Yorktown to Warwick River at once." The general had a profound contempt for the opinion of the Washington authorities, and in his answer piled up the difficulties with which he had to contend, and complained of the inadequacy of his force. To his wife, with whom he shared his inmost thoughts, he wrote: "The President very coolly telegraphed me yesterday that he thought I had better break the enemy's lines at once! I was much tempted to reply that he had better come and do it himself." April 9 Lincoln wrote McClellan the noble, pathetic, and sensible letter which is often reproduced or quoted from, and which contains, as a direction for

the future, the remark, "It is indispensable to you that you strike a blow." The young general failed to take the course which every consideration prompted, from two defects in the working of his mind. He was irresolute; he habitually overestimated the force of the enemy. For a conceited man and unsuccessful general, McClellan wrote and talked too much, and he had at this time various opinions as to the strength of the enemy he must encounter; but on April 7 he was sure that General Joseph E. Johnston had arrived in Yorktown with strong reinforcements, and that he should have the whole force of the enemy on his hands, which was probably not less than 100,000. It is quite true that as soon as McClellan began his advance towards Yorktown, reinforcements commenced to arrive for Magruder, so that by April 11 he had an aggregate of 31,500, but by this time the Union army reached the number of 100,000 men present for duty. Up to this date, therefore, there was no time when McClellan had not three men to one of the Confederates. April 17 Joseph E. Johnston took command in person at Yorktown of an army which had then reached the number of 53,000. McClellan had missed the golden opportunity for an assault, and perhaps from this time on nothing could have been better than a continuance of the scientific siege operations which he began soon after his arrival before Yorktown.

He went on erecting siege works and planting heavy Parrott guns and mortars against the Confederate fortifications, maintaining all the while a lively correspondence with the department at Washington and with his wife at home. In his letters to the President and the Secretary of War, he resented bitterly that McDowell's corps had been withdrawn from his command; he complained of the smallness of his own force, and intimated that he was outnumbered by the Confederates; he had much to say of the rainy weather, and of the roads deep with mud. To his worshipping and devoted wife, he told of the disadvantages he was laboring under and of his many troubles, in a tone that at times degenerated into childishness; some of his letters, indeed, sound as if they had come from a youth not yet grown, rather than from the captain of a great army. When not childish, he is pursued by phantoms. Not only "the rebels," but "the abolitionists and other scoundrels," are aiming at his ruin. It is the men at Washington to whom he refers when he writes: "History will present a sad record of these traitors who are willing to sacrifice the country and its army for personal spite and personal aims." The President, yearning for the success of McClellan and eager to do every-

thing to effect it, sent him Franklin's division of McDowell's corps; this reached him April 22. Still McClellan did not open a general attack from his batteries. April 28 he called for some 30-pounder Parrott guns from Washington, which brought forth this answer from the President: "Your call . . . alarms me, chiefly because it argues indefinite procrastination. Is anything to be done?"

Turning from the contemplation of the Union general to Johnston, one is impressed with the good fortune of the South in having an able commander for its principal army at the commencement of the war instead of being obliged, as was the case of the North, to grope about in a painful search, through bitter trial and sickening failure, of a general fit to lead the Army of the Potomac. Johnston coolly watched the operations of his adversary, and, surprised that at first he had not assaulted the Confederate line, and now pleased that he delayed the bombardment, wrote with a certain measure of contempt to Lee, "No one but McClellan would have hesitated to attack." When these elaborate siege operations were nearly completed, the Confederate general decided that Yorktown was untenable, and on the 3d of May evacuated it and the adjacent defensive works, with the intention of withdrawing his army to the neighborhood of Richmond. Magruder and Johnston had gained a month, a delay of inestimable value to the Confederate cause. During that month the Richmond Congress passed the Conscription Act; the work of reorganizing the Confederate army and training the Virginia militia went on.

The evacuation of Yorktown took McClellan by surprise. Anticipating serious resistance, he had expected three days later to open with his batteries. Nevertheless, he gave orders for immediate pursuit, while he himself remained at Yorktown to superintend the embarkation of Franklin's division on transports, which should go up the York River. Hooker, with his division, overtook the enemy, and began the battle of Williamsburg, which was fought without a plan, under confused orders and defective disposition of forces, and which, though somewhat relieved by a brilliant exploit of Hancock, then commander of a brigade, resulted in a Union defeat and considerable loss. McClellan arrived on the field at about five o'clock in the afternoon, receiving, as he always did, loud and enthusiastic cheers from his men, but the battle of Williamsburg was over. He made a disposition of forces for the conflict which he expected would be renewed on the morrow, but that night the Confederates marched away from Williamsburg, in pursuance of their retreat to Richmond. McClellan

followed with almost incredible slowness. From Williamsburg to the place where his army went into camp on the Chickahominy, a distance of forty to fifty miles, it took him a fortnight to march. The roads, of course, were bad. In a somewhat merry mood he enlivens his book with an anecdote of which he more than once thought during this campaign, and from which he might have drawn an apposite lesson. McClellan asked an old general of Cossacks who had served in all the Russian campaigns against Napoleon, how the roads were in those days. "My son," he replied, "the roads are always bad in war." Virginia mud is a factor which must be taken into account in the consideration of many campaigns, but the young general exaggerated the inclemency of the weather and the difficulty of the roads even as he did the force of the enemy. Lincoln, undoubtedly weary of this constant grumbling, and observing that the Confederates marched in spite of bad roads, and made attacks in spite of rough weather, once wittily said: "McClellan seemed to think, in defiance of Scripture, that Heaven sent its rain only on the just and not on the unjust."

On the morning of May 11, when nineteen miles beyond Williamsburg, McClellan learned that the Confederates had evacuated Norfolk and destroyed the iron-clad *Merrimac*. This opened up the James River to the Federal vessels and gunboats, and should, by the highest military considerations, have suggested to him that that river offered the more advantageous line of advance on Richmond, making available as it did the co-operation of the navy, avoiding the fever-breathing swamps of the Chickahominy, and threatening the most important communication of the Confederate capital with the states farther south. McClellan is wise after the event, and in his report of August 4, 1863, and in his book acknowledges that the approach to Richmond by the James was a safer and surer route than the one adopted; but with his incapacity to admit that he ever made a mistake, he ascribes his evident failure in strategy to the administration at Washington. Repeatedly asking for reinforcements, he sent, May 14, to the President a respectful and reasonable despatch, the gist of which was: "I ask for every man that the war department can send me by water." Four days later the Secretary of War replied, that while the President did not deem it wise to uncover the capital entirely by sending the forces available by the water route, he had, however, ordered McDowell with his 35,000 or 40,000 men to march from his camp opposite Fredericksburg overland and join the Army of the Potomac either

north or south of the Pamunkey River, and he directed McClellan to extend his right wing north of Richmond in order to establish this communication as soon as possible. This command, declares McClellan, is the reason why I did not operate on the line of the James. Yet the statement is effectually disproved by his official and private correspondence at the time, in which there is not the slightest allusion to a desire to make such a movement; in fact, the tenor of all his despatches and letters is that he expected to fight Johnston's army between the Chickahominy River and Richmond. Moreover, he knew of the destruction of the *Merrimac* May 11, and he did not get the notice of the promised reinforcement by McDowell until the 18th, giving him a full week to consider and adopt the plan of moving on to Richmond by the line of the James River, which he had unhampered power to do and which is exactly what he should have done.

As soon as the destruction of the *Merrimac* was known, the *Monitor* and several gunboats started up the James. Their approach to Richmond caused more of a panic in that city than did any direct menace of McClellan's army of 100,000 during the whole of the Peninsular Campaign. There were indeed anxious hearts in the capital city when the Union troops first appeared before Yorktown; but when McClellan, instead of attacking the Confederates, went on with his scientific siege operations, anxiety gave way to wonder and to contempt for his generalship. The fall of New Orleans was a blow, and the destruction, a fortnight later, of the *Merrimac* — "that great gift of God and of Virginia to the South"¹ — seemed disaster crowding upon disaster. Although McClellan's military ability was despised, the march towards the capital of the Confederacy of his well-trained and equipped army could not be looked on without apprehension. While there was a quiet confidence in Johnston, strictures on Jefferson Davis were not uncommon. Of him who became the greatest Southern commander and who was now acting as military adviser to his President, the *Richmond Examiner* said: "Evacuating Lee, who has never yet risked a single battle with the invader, is commanding general;" and, after Yorktown had been given up, it sneered at "the bloodless and masterly strategy of Lee." We must bear all these circumstances in mind to understand the trepidation with which the people heard that the *Monitor* and the Federal gunboats were at City Point, afterwards within twelve miles and then within eight miles of Richmond. Davis had himself baptized at home and the rite of

¹ *Richmond Examiner*, May 13.

confirmation administered to him in the Episcopal Church of St. Paul's. He had appointed by public proclamation a day for solemn prayer. A victim to anxiety, he insisted that his wife and family should go to Raleigh. The families of the cabinet secretaries fled to their homes. These facts, and the adjournment of the Confederate Congress the previous month, seemed to lend confirmation to a report now gaining ground that Richmond would be abandoned. The packing of trunks was the work of every household; refugees crowded the railroad trains. People fled in panic from the city with nothing but the clothes they had on; and their action was not from baseless fear. New Orleans, they thought, had been ignobly surrendered. What should save Richmond? Davis's letters to his wife breathe discouragement. "I have told the people," he wrote, "that the enemy might be beaten before Richmond or on either flank, and we would try to do it, but that I could not allow the army to be penned up in a city." The evidence seems good that the government archives had been sent to Lynchburg and to Columbia.

May 15, the *Monitor* and the Federal gunboats reached Drewry's Bluff, eight miles below Richmond, on the James River. There they encountered a heavy battery and two separate barriers formed of spiles, steamboats, and sail vessels, and found the banks of the river lined with sharpshooters. As the boats advanced, the Confederates opened fire; this was soon returned, and the battle was on. Richmond heard the sound of the guns, yet consternation did not reign. The panic-stricken had left the city, and resolute citizens had stemmed the current of alarm. The day previous, the General Assembly of the Commonwealth resolved that the capital should be defended to the last extremity, and appointed a committee to assure President Davis that all loss of property by the state and by the citizens involved in such a determination would be cheerfully submitted to. Davis said to the committee: "It will be the effort of my life to defend the soil of Virginia and to cover her capital. I have never entertained the thought of withdrawing the army from Virginia, and abandoning the state. If the capital should fall, the necessity of which I do not see or anticipate, the war could still be successfully maintained on Virginia soil for twenty years." To the sound of the enemy's guns, Governor Letcher affixed his hand and seal to a call for a meeting at the City Hall for the purpose of providing for the defence of Richmond. Before the time of the meeting, the news came that the Federal gunboats had been repulsed, and this added joy to the enthusiasm with which the assembled citizens listened to the

pledges of the governor and the mayor that the city should never be surrendered. Confidence was restored, and not again during this campaign of McClellan was it so rudely disturbed. There had been a fine chance for an energetic Union general who knew his enemy. After the naval engagement of May 15, it was the opinion of Seward, then on a visit to the scene of operations, that a force of soldiers to co-operate with the navy on the James River "would give us Richmond without delay." While McClellan failed to take advantage of the favors which fortune lavished upon him, the public of the Confederacy, as well as its generals, had their opinion of this Fabian commander confirmed, and they could not conceal their derision at his lack of enterprise.

If the hopeful North and the anxious South could have known McClellan's inward thoughts during these days, there would have been reason neither for hope on one side nor anxiety on the other. In his letters to his wife, he spoke of his defeat at Williamsburg as a "brilliant victory," and asserted that he had given the Confederates "a tremendous thrashing." May 12 he asked, "Are you satisfied, now, with my bloodless victories?" and May 15 he wrote, "I think that the blows the rebels are now receiving and have lately received ought to break them up."

This is the story of six weeks, or of one-half of the Peninsular Campaign; for it was confessedly a failure when, in the last days of June, McClellan retreated with his shattered army to the James River. In the two battles of Fair Oaks and Gaines's Mill, fought almost a month apart, his tactics were timid and disjointed. He showed himself incompetent to manage an army of 100,000. Nor is this surprising. In June, 1862, it may well be doubted whether, in either the Union or the Confederate army, there was an officer who could handle so large a number of troops to the very best advantage. From Savannah, in January, 1865, William T. Sherman wrote his brother, saying that he did not care to accept the commission of lieutenant-general. "Of military titles," he added, "I have now the maximum, and it makes no difference whether that be major-general or marshal. It means the same thing. I have commanded 100,000 men in battle and on the march successfully and without confusion, and that is enough for my reputation." This letter suggests what may be said in defence of McClellan. It is nevertheless certain that in June, 1862, there were several men South and several men North who could have handled that army better than did McClellan.

The consideration of McClellan's mistakes does not exhaust the chapter of blunders. Stonewall Jackson's brilliant raid into

the Shenandoah valley brings into relief the blunders of Banks and of Frémont. It shows, too, that the story of this campaign cannot be truly told without animadverting on the error of the President in putting such men as Banks and Frémont into places of military responsibility.

JAMES FORD RHODES.

RECENT MEMOIRS OF THE FRENCH DIRECTORY

Mémoires de Larevellière-Lépeaux, membre du Directoire de la République Française et de l'Institut National, publiés par son fils, sur le manuscrit autographe de l'auteur, et suivis des pièces justificatives et de correspondances inédites. 3 vols. (Paris: E. Plon, Nourrit et Cie. 1895.)

Memoirs of Barras, Member of the Directorate, edited, with a general introduction, prefaces, and appendices, by George Duruy. 4 vols. (New York: Harper and Brothers. 1895-1896.)

Mémoires du général baron Thiébault, publiés sous les auspices de sa fille Mlle. Claire Thiébault, d'après le manuscrit original, par Fernand Calmettes. Vol. II. 1795-1799. (Paris: E. Plon, Nourrit et Cie. 1894.)

Mémoires du général baron Roch Godart (1792-1815), publiés par J. B. Antoine. (Paris: E. Flammarion. 1895.)

STUDENTS of modern history, and more particularly students of the modern history of France, have been for years anxiously awaiting the publication of the memoirs of the two men who played the most conspicuous part in the phase of revolutionary history which lies between the government of the National Convention and the restoration of order in France during the Consulate. The period of the Directory has hitherto been strangely neglected by historians. Although histories of the French Revolution and histories of the government of Napoleon abound, the only reputable work devoted to a narrative of the history of France during the government of the Executive Directory is the old-fashioned and commonplace *Histoire du Directoire* by M. de Barante. This neglect is in part due to the fact that writers upon the history of the French Revolution seem to have exhausted their energy by the time they have told the tale of the Reign of Terror, and their accounts of the period of the Directory, and even of the period of the Thermidorian government which succeeded the fall of Robespierre and preceded the election of the first Directors, generally read like spiritless and tiresome sequels to their earlier chapters. This attitude is natural enough. The period of the Directory, like the period of

the Thermidorian government, comes as an anticlimax to the dramatic events of the Reign of Terror; hecatombs of victims were no longer slaughtered upon the guillotine or drowned in the Loire, and there is a conspicuous absence of the thrilling incidents and exciting events of the earlier period. But if historians of the French Revolution have neglected the period of the Directory, it has been handled still more unfairly by historians of the Consulate and the Empire. To biographers of Napoleon, and all historians of the Consulate and the Empire have hitherto been biographers of Napoleon, the period of the government of the Directory affords simply a background whereby to illustrate the appearance of their hero upon the stage. To them the campaign of 1796 in Italy and the expedition to Egypt are the chief events of the period, and the members of the Executive Directory of France are regarded as the fortunate mortals who employed the victorious general, or as the malignant enemies who thwarted his immediate accession to supreme power. The period of the government of the Directory is a transition period, and has suffered the fate of all transition periods in being neglected by historians, but the reluctance hitherto shown in dealing with it has in part been due to the absence of authentic material upon which to work. Upon the history of the early years of the French Revolution, and above all on the Reign of Terror, historical societies and individual students, liberally aided by the French government, have recently published, and are publishing, a bewildering wealth of documents, while for the period of the Directory interest has been so entirely concentrated upon military events, and particularly upon the achievements of Napoleon, that it is exceedingly difficult to form a correct idea of the political history of France during the four years which elapsed between the installation of the first Directors on 13 Brumaire, Year IV. (November 4, 1795), and the *coup d'état* of 18 Brumaire, Year VIII. (November 9, 1799), when Napoleon Bonaparte put an end to the Constitution of the Year III.

It is not only lack of documents which has restrained students from working upon the history of the Directory; there has also been hitherto a remarkable scarcity of personal memoirs, those human documents which vivify and correct and interpret official records. Whole libraries can be collected of memoirs dealing with the first six years of the French Revolution, memoirs written by leading actors and subaltern agents alike, which contrast both in quantity and quality with the sparse personal narratives of the succeeding period. But during the last twelve months something has been done to redress this inequality; for in rapid sequence

have been published the memoirs of the two men who played the longest and most conspicuous parts in the history of the Directory. The executive authority in France was entrusted during the four years of the directorial system of government to thirteen men who held office for periods varying from a few months to four years. The one man who was a member of the Executive Directory throughout the whole four years from November, 1795, to November, 1799, was Paul Barras. The Director who held office for the next longest period, from November, 1795, to June, 1799, was La Revellière-Lépeaux. These two men survived not only the Revolution but the Empire, and in their old age, when France had again passed under the sway of the Bourbons, they busied themselves in writing down for the use of posterity the recollections of their days of political greatness. It has been known to historians for more than sixty years that the memoirs of Barras and of La Revellière-Lépeaux were in existence; they had been placed in the hands of eminent historians to assist them in their work; extracts from them had been published from time to time; and further excuse for the neglect with which the period of the Directory has been treated is to be found in the fact that no writer felt justified in undertaking an exhaustive work before memoirs of such obvious importance had been published in their entirety.

The value of memoirs as historical evidence depends upon a careful examination of the circumstances under which they were written and a thorough knowledge of the characters and motives of the writers. Now the memoirs of Barras and of La Revellière-Lépeaux were written after 1820, when the writers were both old men, and more than twenty years after they had been entirely excluded from political power. Barras was forty-four years old and La Revellière-Lépeaux forty-six, when the government of the Directory came to an end, and they were both therefore well past sixty when they undertook to place on record the recollections of their political life. This fact of itself deprives their testimony of any direct documentary value. Although both of them consulted memoranda made at the time in writing their records, their statements of fact cannot stand if contradicted by direct evidence from contemporary sources or even if unsupported by such direct evidence. It is not, however, for direct evidence as to facts that personal memoirs are consulted or followed, although only too many unscientific historians neglect this wholesome rule. The memory of an old man is proverbially treacherous, and even when edited by the use of authentic documents may easily go astray. But although affording no valid evidence as to facts, personal

memoirs, like those of the two Directors, have an immense though indirect value in affording clues to the causes of events; in recalling details the importance of which has become obscured from neglect at the time or incorrect presentation in contemporary documents; in recording impressions made at the time in their true proportions; and in throwing light upon the character of the author. In all these respects the memoirs of Barras and of La Revellière-Lépeaux fully justify expectation. It is true that, in spite of the unchivalrous treatment of Josephine by Barras, the general reading public has expressed itself as disappointed at the absence of piquant and scandalous stories, but historical students should be grateful for the fulness of the memoirs in question from the points of view just mentioned. The day has gone by for the compilation of history from a comparison of personal memoirs, but the day has not arrived and never will arrive when the value of memoirs as illustrative material can be neglected.

Before, however, attaching to memoirs even the secondary value of illustration, which is now recognized as their principal use as a source of historical knowledge, it is necessary to be sure that the memoirs in question are the genuine work of their authors, and have not been garbled by unscrupulous editors or by friends and relatives, more solicitous for the writer's credit than for historical truth. Few periods in history are so widely and so variously illustrated by personal memoirs as that of France from 1789 to 1815. Yet a large proportion of these memoirs have a suspicious origin. Not to mention lying compilations like the so-called memoirs of Fouché, or the spurious memoirs of Robespierre, there are only too many instances in which the original manuscript has disappeared like that of the memoirs of Talleyrand, published by the Duc de Broglie three years ago, or in which there was no original manuscript, since the so-called memoirs were drawn up from notes of conversations, as in the case of the volumes bearing the name of the Memoirs of René Levasseur, called Levasseur of the Sarthe. The spread of knowledge as to the duty of an editor to publish the very words of the manuscript before him has, since the expansion of scientific historical study, been so great, that historical students nowadays expect and generally receive a minute and detailed account of the condition and history of the manuscript of any newly published collection of memoirs. That is at least the case with regard to the memoirs of the two Directors, Barras and La Revellière-Lépeaux. M. George Duruy, in particular, deserves the very greatest praise for publishing textually the memoirs of Barras; for he himself is an enthusiastic admirer of the Emperor Napoleon

and points out in his introduction what he considers to be the untrustworthy malignity of the Director Barras. "This venom," he says, "I give to the public without fear or remorse, for I have affixed a warning label to the poison." It was well known among his contemporaries that Barras had spent the last years of his long life in writing his memoirs, and as early as 1825 the government of the Restoration issued orders for placing all the papers of Barras under seal. On January 30, 1829, the day after the ex-Director's death, an attempt was made under this order to seize his papers, but, fortunately for history, a few hours before the arrival of the officers of law his widow had sent the precious manuscripts for safe-keeping to M. Alexandre Rousselin de Saint-Albin, to whom they had been bequeathed to be edited for publication. By 1832 the latter had completed an edition of the memoirs ready for the press. M. de Saint-Albin had himself as a young man played a part in the history of the Revolution. He had been imprisoned during the Reign of Terror as a partisan of Danton, and he therefore admired Barras as the leading actor in the Revolution of Thermidor which brought Robespierre to the guillotine; he was the friend and biographer of Hoche and therefore detested Bonaparte, the successful rival of that brilliant general; he was a convinced republican and hated the imperial despot who had absorbed the Revolution and used the Revolutionary army for the satisfaction of his own ambitions. No more suitable editor could have been found, and it was a labor of love for M. Alexandre de Saint-Albin to turn the fragmentary notes and illiterate manuscript of Barras into readable French prose. But when his work was done, M. Alexandre de Saint-Albin was informed by the lawyer he consulted on the subject, that the memoirs of the old Director "constituted a nestful of libel suits." The manuscript was therefore withheld from publication, and in 1847, upon the death of the original legatee, it passed into the possession of his son, M. Hortensius de Saint-Albin. This gentleman held the office of a judge of the court of appeal during the Second Empire, and obvious motives of prudence prevented him from publishing during the reign of Napoleon III. the violent and malignant language used by Barras about Napoleon I. The second Saint-Albin died in 1877, and the famous memoirs passed through the hands of various members of the family till they reached those of M. Duruy. It has been said that M. Alexandre de Saint-Albin rewrote the memoirs of Barras. This was made necessary by the fragmentary condition and illiterate text of the original. But fortunately M. de Saint-Albin carefully preserved the original which he had revised

and edited, and M. Duruy has given in parallel columns some typical passages showing the nature of the editorial work done. Had this been the case with regard to the memoirs of Talleyrand, had M. de Bacourt preserved the original upon which he worked, the suspicions which now exist that the memoirs of Talleyrand are but a garbled version of the original work of the famous diplomatist could not have arisen. The story of the memoirs of La Revellière-Lépeaux is less complicated. The high priest of the Theophilanthropists was far better educated than the Provençal nobleman, and his manuscript did not need to be rewritten. La Revellière-Lépeaux, at his death in 1824, left the manuscript of his memoirs to his only son, M. Ossian La Revellière-Lépeaux. For political reasons, although he never held office like the younger Saint-Albin, the ex-Director's son adjourned the publication of his father's memoirs. They were printed, however, in 1873, though not published, and since that time the copy deposited according to law in the Bibliothèque Nationale at Paris has been constantly consulted by students of the history of the French Revolution. M. Ossian La Revellière-Lépeaux not only refused to publish his father's memoirs himself, but directed that they should not be given to the public until after the death of his wife. This event occurred in 1891, but the owner of the copyright, M. Robert David d'Angers, the grandson of the Director's only daughter, did not feel justified in publishing his great-grandfather's memoirs, which contained many imputations on the character of the first Carnot, while the third Carnot was honorably directing the government of France. The murder of President Sadi Carnot, however, removed the cause of these generous scruples, and so it happened that in 1895, just one hundred years after Barras and La Revellière-Lépeaux entered upon the most important epoch of their political lives, their memoirs were at last given to the world.

It might have been expected that the memoirs of La Revellière-Lépeaux and Barras should be in the main apologies for their political careers, and in particular for their political actions during the time that they sat as colleagues in the Executive Directory. Both were keenly conscious that the government of the Directory had never been popular, and that it was the fashion in their latter days to decry the Directors as greedy and insolent politicians, whose system was not marked by the patriotic fervor of the statesmen of the Convention nor by the triumphs abroad and restoration of order at home which marked the rule of Napoleon as First Consul and as Emperor. The fact that their memoirs were written as apologies for their past actions naturally vitiates their trust-

worthiness. Although, since they were at the head of affairs, they must have known more about the forgotten causes of events than outside observers, they are more concerned with defending their reputations than desirous of narrating their motives and their actions. Both indeed made use of documents that they had preserved, and endeavored to assist their recollections by references to them. La Revellière-Lépeaux does not seem to have kept any regular diary or to have preserved any memoranda of the discussions which took place at the meetings of the Directory. But he preserved a number of letters written to him during his tenure of office, chiefly from agents of the Directory in Italy, which he directed should be published with various speeches and political articles as *pièces justificatives* with his memoirs. The third volume of the *Mémoires* consists entirely of these documents. Among them should be noted, for the use of students of American history, a memoir on the relations of the United States with the government of the Directory, written by M. Rozier, the French consul-general at New York, and dated 7 Nivôse, Year VII. (December 27, 1798). The memoir fills but eight and a half pages of print and is worthy of attention as containing a French view of American politics at an interesting epoch. Far more valuable than the *pièces justificatives* of La Revellière-Lépeaux are the records kept by Barras of the debates in the Directory, which are incorporated in his memoirs. The publishers have had the happy thought of printing these contemporary notes in a different type from the body of the memoirs. For the purposes of the historian, they are worth all the scandalous gossip of the former Director's faithless memory many times over. No one except an inveterate scandal-hunter will care to read twice the malicious insinuations of the old *roué* about Madame Tallien and Madame Bonaparte, but the Director's notes on political events as discussed among his colleagues have a great and permanent value. It has been said that the memoirs of both Directors are in the nature of apologies, and it may be added that both of them retained to old age the bitter enmities of their former political life, and that they deliberately set down the most scandalous imputations against the characters of most of their former associates. La Revellière-Lépeaux writes with particular bitterness of Carnot, who in truth had not spared the language of sarcasm and abuse against him in the well-known answer to Bailleul, which was published after the *coup d'état* of 18 Fructidor. No man likes to be called a "tiger" or a "hideous viper," and it is perhaps not unnatural that La Revellière-Lépeaux should have borne a grudge against Carnot to his dying day, and

should have represented the famous "Organizer of Victory" in the worst possible light. To his jaundiced view every act of Carnot was treacherous and mean, and the language used is so strong that it overshoots the mark. La Revellière-Lépeaux himself seems to have felt this, for he writes with regard to his memoirs: "If I have used unmeasured language with regard to Carnot, I desire that it should be softened. I owe it to myself not to imitate his violence." If Carnot roused feelings of bitter hate in the memory of La Revellière-Lépeaux, they were mild in comparison with the rancorous malignity with which Barras regarded Napoleon Bonaparte. As First Consul and as Emperor, the Corsican officer whom Barras had aided to rise to the heights of fame and power, never ceased to persecute his former patron. If indeed an anxiety to leave to posterity a vindication of his political life was one of the aims of Barras in writing his memoirs, an overwhelming desire to blacken the character of Napoleon and to emphasize the baseness of the methods by which he rose to high command, was an equally strong incentive. Napoleon himself, Josephine, and the members of the Bonaparte family are calumniated at every turn; the most disgraceful imputations are made against them all; and if La Revellière-Lépeaux's animosity against Carnot should be carefully discounted, still more care should be used with regard to the reckless mud-throwing of Barras whenever he mentions the man whom it is his brightest title to fame to have brought conspicuously upon the stage of history.

The provisions of the Constitution of the Year III., by the terms of which the Directory came into power on the dissolution of the National Convention in 1795, are sufficiently well known. The chief aim of the Constitutional Committee which had drawn up those provisions and of which it may be noted La Revellière-Lépeaux was himself a leading member, was to establish a strong executive government in France, supreme in all executive matters but deprived of all control over the Legislature. The disastrous effect of the Constitution of 1791 in placing executive power in the hands of a discredited and powerless monarch had been made manifest during the first months of the war of republican France against Europe; France had been saved with difficulty by the arbitrary government of the Committee of Public Safety, and no statesman dreamed in 1795 of leaving the country without a strong executive. But this executive was to be balanced by a legislative authority which it could not control, to which it could not suggest measures, from which it could not select its ministers, and whose

enactments it could not veto. The executive and legislative authorities were as far as possible shut off from each other in separate compartments, and since such an arrangement was politically impracticable, the Constitution of the Year III. was twice violated, first by the Directory interfering unconstitutionally with the Legislature and later by the Legislature interfering unconstitutionally with the Directory, in the course of the four years during which it remained in force. Some of the provisions of the Constitution were the result of previous experience and others seem to have been imitated in part from the American Constitution. The Executive Directory of five members, which was to preserve its solidarity, the decision of the majority being taken as the decision of the whole, was based on the success of the Committee of Public Safety, and it was provided that one Director should retire every year and be ineligible for re-election, in order to prevent the existence of such a corporate despotism as the great Committee of Public Safety. Similarly, to prevent any sudden and sweeping change of policy, such as had resulted from the election of the Legislative Assembly in 1791, it was agreed that one-third of the Legislature should retire yearly. The division of the Legislature into two chambers was a further result of experience. The Constituent Assembly had by a large majority rejected the bi-cameral system in August, 1789, regarding its suggestion as a slavish imitation of the English Houses of Parliament. But the statesmen who drew up the Constitution of the Year III. knew better and divided the new French Legislature into two chambers, — the Council of Ancients and the Council of Five Hundred. To the Council of Ancients was assigned a certain control over foreign affairs and the ratification of treaties, probably in imitation of the functions of the United States Senate, while to the Council of Five Hundred was attributed the right of initiation of all financial measures. Legislation was to be carried by a majority in both chambers and could not be vetoed by the executive authority. Theoretically, the Constitution of the Year III. offered an excellent solution of the dangers and difficulties which beset Revolutionary France, but in practice it was found, as has already been said, that the entire separation of the functions of the executive and legislative was impossible. From both the historical and the political standpoint, the most interesting events in the history of the directorial system of government were the two *coups d'état* of 18 Fructidor, Year V. (September 4, 1797) and of 30 Prairial, Year VII. (June 18, 1799), by which in the first case the Directory violated the Constitution to the prejudice of the Legislature, and in the second case the Legislature retaliated on the Directory. It

will therefore be useful to examine what light is thrown by the memoirs of Barras and of La Revellière-Lépeaux upon these two *coups d'état*. Some idea can be given of the character and value of the memoirs of the two Directors by dealing with their recollections of these two most important events of their political life.

The *coup d'état* of 18 Fructidor was the work particularly of La Revellière-Lépeaux and Barras, and in their memoirs they not only attempt to justify their action, but glorify themselves upon their success. Ever since the election of the new third of the Legislature in the spring of 1797, a strong majority in both Councils had been opposed to the majority of the Executive Directory. The new third represented the feeling of reaction which undoubtedly existed in France in 1797, in spite of the victories of Bonaparte in Italy. The glories of foreign conquest had not materially altered the condition of things at home. France needed peace, and the new third of the Legislature represented this feeling. France, further, desired the punishment, or at least the expulsion from office, of the Terrorists, whose sanguinary methods of government were recollected with a shudder and with fear that they might possibly be resumed. In reaction from the ideas of the Terror, it is possible that perhaps the majority of the middle classes in France would even have welcomed the re-establishment of monarchy. Under these circumstances, the new third of the Legislature, which consisted almost entirely of men who had taken no part in affairs during the Reign of Terror, coalesced with the third which had been elected on the dissolution of the National Convention and had a clear majority over the surviving third of former members of the Convention. Desiring peace, wishing for the overthrow of the men of the Terror, and probably working for the re-establishment of monarchy, the majority of the Legislature, in the spring of 1797, elected to fill the place of Letourneur, on whom the lot had fallen for retirement, Barthélemy, the negotiator of the treatise of Basle and a former marquis and diplomatist during the days of the *ancien régime*. But although the party of peace and reaction had a majority in the Councils, Barthélemy had not the character to win over any two of his colleagues in the Directory, and the party therefore remained in a minority in the executive branch of the government. That a struggle must quickly come was obvious to all observers in the summer of 1797. It was merely a question as to which side would take the initiative in violating the Constitution of the Year III. Both La Revellière-Lépeaux and Barras endeavor to prove that the party of peace and reaction was really working for

the re-establishment of the monarchy, and the former makes a strong point by pointing out that, under the Restoration, it was accounted good service to the Bourbons to have been a victim of the *coup d'état* of Fructidor. Perhaps the only man who sincerely desired to avoid violating the Constitution was Carnot. La Revellière-Lépeaux accuses Carnot of treachery and asserts that he was won over to the party of reaction. This, however, is part of La Revellière-Lépeaux's persistent misrepresentation of Carnot's character. But Carnot gave ground for the accusation in that he threw in his lot with Barthélemy and, with that honest but incompetent old gentleman, refused at the beginning of Fructidor further to attend the meetings of the Directory. In their decision to strike a blow at the leaders of the party of peace and reaction in the Councils, the majority of the Directory, namely, La Revellière-Lépeaux, Barras, and Reubell, had the hearty support of the two most famous generals of the French Republic. Both Hoche and Bonaparte were exceedingly wroth at the language used in Councils about the French armies, both disliked the idea of peace, and both prepared to come to the assistance of the majority of the Directory. Hoche indeed went so far, at the invitation of Barras, as to march some of his troops towards Paris, and La Revellière-Lépeaux gives an interesting account of an interview which took place between the Directors and Hoche, in which Barras roused the young general's indignation by refusing to acknowledge the invitation he had given him (*Mémoires*, Vol. II., pp. 421-425). Bonaparte did not himself come to Paris, but he caused the circulation in his army of violent diatribes against the peace party, even going so far as to falsify the *Moniteur* (see Thiébault, *Mémoires*, Vol. II., p. 123), and he sent one of his most trusted generals, Augereau, to carry out the military part of the programme planned by the majority of the Directory. As the day fixed for the *coup d'état* approached, Reubell, by the testimony of both his colleagues, was overcome with fear, and it was with the utmost difficulty that he could be prevented from running away from his rooms in the palace of the Luxembourg. Barras charitably puts down Reubell's fears to a fit of temporary insanity; La Revellière-Lépeaux does not go quite so far, but he fully justifies Barras's remarks and asserts that his own coolness restored Reubell's courage. La Revellière-Lépeaux, as President of the Directory for the time being, signed first the orders that were given, while Barras dealt with Augereau and arranged the execution of the measures that were taken. La Revellière-Lépeaux takes to himself the credit of being the man who really brought

about the *coup d'état* of 18 Fructidor, because he managed to maintain harmony between Barras and Reubell, who cordially disliked each other, and, as has already been said, he glories in his actions at that time of crisis, believing that his policy alone prevented the restoration of monarchy and the progress of reaction in France. Barras, on the other hand, prides himself on having been the man who actually carried out the *coup d'état* and asserts that, after it was over, Augereau desired him to usurp sovereign power by expelling his colleagues (*Memoirs*, Vol. III., p. 27), and that Talleyrand advised the instant execution of the defeated leaders of the peace party (p. 28) and said that he himself would like a place in the Directory (p. 30). Both La Revellière-Lépeaux and Barras point with pride to the fact that no blood was shed during the *coup d'état* of 18 Fructidor. Carnot was allowed to escape to Germany, while Barthélemy, with Pichegru and the other leaders of the Council, were deported to French Guiana. But both the victorious Directors forget to notice that the deportation of these men to South America was almost tantamount to a sentence of death, owing to the nature of the climate of Cayenne and Sinnamari. Barras, further, says nothing of the sudden revival of the cruel laws against returned émigrés, while La Revellière-Lépeaux declares that this revival of severity had nothing to do with the *coup d'état* of Fructidor, but was merely the application of the law still existing. This, however, is a mere quibble; for it is an undoubted fact that whereas during the first two years of the Directory the return of many émigrés was allowed without putting the law in force against them, after the 18 Fructidor numerous executions of returned émigrés took place. Upon this subject, as well as upon the history of the *coup d'état* of 18 Fructidor generally, the statements of Barras and La Revellière-Lépeaux should be carefully checked by the valuable work of M. Victor Pierre, entitled *La Terreur sous le Directoire*, and by the still more valuable collection of documents edited by the same scholar for the Société d'Histoire Contemporaine in 1893.

The *coup d'état* of 30 Prairial, Year VII., naturally fills a much smaller place in the memoirs of Barras than in those of La Revellière-Lépeaux; for while the former was one of the victors, to his own eventual ruin, the latter's political life was then brought to an end. In May, 1799, Reubell, whom both his former colleagues unite in praising as the ablest man who ever served in the Directory,—excepting, of course, themselves,—had retired, and Sieyès, who had indeed been chosen a member of the original Directory but had refused to take his seat owing to the presence of his

personal enemy Reubell, now took his place. Once again, as in 1797, the majority of the Councils was directly opposed to the majority of the Directory. The military situation had greatly changed since the time of the *coup d'état* of Fructidor. At that time, the French armies were at the height of their fame, Bonaparte was master of Italy, and the Austrians had been compelled to sue for peace; but in 1799, Bonaparte was shut up in Egypt, the French had been driven from Italy by the Russians under Suvorov, and only Masséna's brilliant campaign in Switzerland saved France from invasion. The leaders in the Councils attributed this change for the worse to the action of the Directors, and Sieyès took his seat in the Directory with the intention of representing the same views in the heart of the government. Sieyès was a far abler politician than Barthélemy, and he at once set to work to build up a majority in the Directory itself. This was speedily done. It was pointed out that Treillard, one of the Directors, had no right to his position, owing to his having been elected within a year from his resignation from the Legislature. The Councils, therefore, declared him unconstitutionally elected, and his colleagues in the Directory forced him to resign. His place was taken by Gohier, who, like Sieyès, represented the views of the Councils, and the two had no difficulty in bringing Barras over to their side and thus constituting a majority in the Directory. This accomplished, the leaders in the Councils vehemently attacked La Revellière-Lépeaux and Merlin of Douai, the remaining Directors, and demanded their resignations. Such a demand was utterly unconstitutional, and that it succeeded was a further proof of the impracticable nature of the Constitution of the Year III. The two accused Directors naturally declined to resign, and a struggle seemed to be impending. Impressed with this idea, the majority of the Directory appointed Joubert to the command of Paris as Augereau had been appointed in 1797, and prepared to use force. Barras briefly, and La Revellière-Lépeaux at greater length, describes the events of 30 Prairial. A stormy meeting of the Directors was held; Barras came armed to the meeting and violently abused Merlin of Douai. Seeing that the majority of their colleagues, as well as the majority of the Councils, were against them, the two accused Directors sent in their resignations and thus the second *coup d'état* of the government of the Directory was accomplished. Barras can hardly be said, even in the light of his own memoirs, to have played a creditable part in the *coup d'état* of 30 Prairial. He was at least as guilty as his colleagues of the disasters which had befallen the armies, and his

being spared was due to the fact that he could be more easily won over to the side of Sieyès and the Councils than men of more determined character like Merlin and La Revellière-Lépeaux. It is also worth noting with Barras that the *coup d'état* of Prairial was not followed by the punishment of the defeated. "The early 'days' of the Revolution are signalized," says Barras (*Memoirs*, Vol. III., p. 430), "up to 13 Vendémiaire by the death of the vanquished. On the 18 Fructidor, transportation only was resorted to. On this occasion, dismissals were considered sufficient. This series of amendments to the early ferocity truly bears a resemblance to a progress of civilization. It is no longer permissible to kill one's enemies nor even to transport them; all that is possible is to dismiss them and put others in their place."

The details of the *coup d'état* of 18 Brumaire, Year VIII. (November 9, 1789), which put an end to the government of the Directory, are much better known than the circumstances surrounding the *coups d'état* of 18 Fructidor and 30 Prairial, since it was then that Napoleon Bonaparte seized the government of France, and all his biographers have narrowly examined all sources of information. The memoirs of La Revellière-Lépeaux naturally throw no new light upon the 18 Brumaire, since the author was then living in retirement, but Barras gives a long account of his own doings and feelings during that memorable time. His prejudice against Napoleon, however, is as conspicuous as usual, and vitiates the authenticity of the numerous anecdotes which he tells about himself and his friends and their relations to the victorious general.

One point which stands out in the memoirs of both the ex-Directors is that Reubell was by far the ablest member that ever sat at the board of the Directory. Neither La Revellière-Lépeaux nor Barras, by the testimony of all contemporary observers, liked Reubell, but they both do him full justice in the sketches they give of his character and conduct. La Revellière-Lépeaux devotes some pages to a portrait of Reubell (Vol. I., pp. 332-337), in which he declares that his colleague had bad manners and was obstinate rather than firm, but he adds that these bad qualities were balanced by great talents. He protests against the common accusation that Reubell was avaricious and made a large fortune by corrupt means, and says to his credit: "Few men have been better fitted to govern by their natural intelligence and knowledge of affairs. . . . He had a wonderful memory and it was hardly possible to mention to him any man with whose history he was not thoroughly acquainted, which often enabled us to see through intrigues and intriguers. . . .

He never to my knowledge betrayed his party or broke his word. . . . He sincerely loved liberty and was so proud of the honor of France and so attached to the interests of the Republic, that he was sometimes harsh and unjust with regard to other nations. At home he was the best of husbands and of fathers." Barras on more than one occasion speaks of Reubell in equally strong terms of praise, but perhaps the most remarkable testimony that the vainglorious nobleman gives to the merits of the Alsatian lawyer is contained in the following words: "It was Reubell who was the soul of the Directory. It was he who from the very first day had made it adopt the vigorous course which had obtained for us so many results at home and abroad — results which had won us the respect of Europe." (*Memoirs*, Vol. III., p. 399.)

It was often alleged by contemporaries, and has since been generally accepted by historians, that the government of the Directory shamefully neglected the interests of the soldiers, who under the command of Bonaparte had conquered Italy, and was responsible alike for the excesses of the armies in 1798 and for the loss of Italy in 1799. It need hardly be said that both La Revellière-Lépeaux and Barras endeavor in their memoirs to clear themselves from these accusations. The former even goes to the length of directing some hundreds of pages of correspondence with himself on Italian affairs to be printed in the *pièces justificatives* subjoined to his memoirs. But it is made perfectly evident throughout that La Revellière-Lépeaux was entirely hoodwinked by the civilian commissioners whom the Directory despatched to Italy in the wake of the conquering armies. Very different evidence on this subject is given by the memoirs of Baron Thiébault. This distinguished officer, whose tales of war and glory are, in brilliancy of style and vivid interest, second only to the famous memoirs of Marbot, devotes the greater part of his second volume to his adventures and experiences in Italy. Thiébault was on the spot; he had good reason to remember accurately the campaigns in Italy in which he won his way to the higher ranks of the military service; and his record bears internal evidence of its truthfulness. Thiébault states and repeats in convincing language that the disgraceful pillage and peculation which marked the conduct of the French in Italy in 1798 was due to these very civilian commissioners whom La Revellière-Lépeaux praises as models of probity and disinterested fidelity to duty. Thiébault further takes the side of Championnet, the conqueror of Naples, as against MacDonald, who supplanted him in command, while La Revellière-Lépeaux takes a diametrically opposite view of the conduct of the

two generals. Perhaps no part of Thiébault's memoirs is of such historical value as the volume in which he deals with his experiences in Italy during the government of the Directory. There has streamed forth from the great publishing houses of Paris, ever since the startling success of Marbot's memoirs, a flood of recollections of old soldiers who took part in the wars of Napoleon, but in most cases they held very subordinate ranks in the days of the Directory, and deal at much greater length with the events of the Empire. Thiébault, however, goes into minute details about the French armies of the former epoch and proves conclusively that however well the Directors might have intended to maintain discipline and good order, those qualities were conspicuously lacking among the troops that conquered Italy. The story of the insubordinate conduct shown towards Masséna at Rome, the bitter jealousies of rival generals, the favoritism which promoted the incompetent, and the want of discipline among the rank and file are sketched by Thiébault in masterly style. It is necessary to supplement the account of the triumphs and defeats of the French armies between 1795 and 1799, given from the government point of view in the pages of the Directors, by such honest narratives from the point of view of the soldiers themselves as that given in the second volume of the memoirs of General Paul Thiébault.

Different in style and character to the memoirs of Thiébault, who was a man of letters and the son of a man of letters, are the rough notes thrown together by General Roch Godart, the son of a cooper at Arras, whom the events of the Revolution had placed in command of the 79th Regiment. These rough notes have been most carefully edited by M. J. B. Antoine, and the three chapters dealing with the period of the Directory confirm the narrative of Thiébault with regard to the campaign of 1798 in Italy, and the attitude of the army towards the Directors. The most interesting page of Godart's memoirs, however, deals in simple fashion with the *coup d'état* of 18 Brumaire. The 79th played a most important part at that time, but its worthy colonel goes into no elaborate details. He had arrived in Paris with his soldiers about a month before the *coup d'état*, and he writes: "The Deputy Aréna and his partisans wished to frustrate the projects of our general-in-chief. They caused many offers of money and promotion to be made to me, which I spurned. I had no desire to implicate myself in any political movement; I regarded only my general's commands, and I had further no reason to betray the general-in-chief Bonaparte, in whom I had the greatest confidence." (*Mémoires*, p. 75.)

It may be stated in conclusion, as must have been made evi-

dent in the preceding pages, that a great deal of additional light has, during the last year, been thrown upon the history of the Directory by the publication of such collections of memoirs as those of La Revellière-Lépeaux, Barras, Thiébault, and Godart. Although it has been insisted upon that personal recollections must always be examined with the greatest care, and treated only as illustrative and secondary material for history, yet the historical student cannot afford to neglect entirely any piece of new evidence laid before him, even if it be the garrulous and vainglorious gossip of two old men writing apologies for their political careers twenty years after those careers had closed, like Barras and La Revellière-Lépeaux.

H. MORSE STEPHENS.

DOCUMENTS

[Under this head it is proposed to print in each issue a few documents of historical importance, hitherto unprinted. It is intended that the documents shall be printed with verbal and literal exactness, and that an exact statement be made of the present place of deposit of the document and, in the case of archives and libraries, of the volume and page or catalogue number by which the document is designated. Contributions of important documents, thus authenticated, will be welcomed.]

1. A Memorial of Lord Burghley on Peace with Spain, 1588.

THE following document shows Lord Burghley considering, long after the Armada had sailed from Lisbon and little more than a month before it appeared off the Lizard, the conditions of a peace with Spain. Philip the Second and Parma had long been luring Elizabeth with false hopes of peace and thus keeping her from making adequate preparations against the invasion upon which Philip was all along fully determined. Elizabeth had at one time even allowed herself to play with the idea of betraying the Low Countries and making a separate peace with Spain. In that case she would have delivered to Philip the cautionary towns, Flushing, Brill, Ostend, and Sluys, and have secured her allies no terms in the all-important matter of religious toleration. It has been alleged that Burghley advised the Queen to commit this foul treachery, and it is certain that Philip was so convinced of this as to exclude the Lord Treasurer, in reality his most formidable enemy, from a list of Englishmen to be hanged after the conquest of the country. In this "memorial," however, Burghley appears in his true character as the great Protestant statesman, whose aim was ever to make England the chief bulwark of Europe against the reactionary policy of Philip the Second. He demands from Philip the ratification of the Pacification of Ghent, a treaty which marked the most propitious moment in the revolt of the Netherlands, and would, if observed, have prevented the rupture of North from South and given freedom of conscience to the whole country. Burghley also distinctly insists that the Queen keep her faith in regard to the towns.

If the King refused to make peace on the basis of the Pacification of Ghent, Burghley meant still to stand by his allies, encour-

aging them to "have a strong navy on the Narrow Seas," and making England itself ready for war by land or sea. Not till Philip should grant toleration in the "Cause of Religion" would Burghley advocate a separate peace with Spain; but that once granted, he was determined to conclude peace even if the rebels still wished to continue the struggle. It is indeed remarkable that the foremost English statesman of his time should at this late date have thought peace with Spain within the range of possibility.

W. F. TILTON.

[MSS. British Museum, Galba, D III, f. 189.]

A memoryall of sundry degrees of conditions to be considered of in the matter of the treaty of peace betwixte the Queenes Majestie and the Kinge of Spayne. 11 Junii 1588. Written by the Lo: Tresorers owne hand.

The beste is for her majestie to have the peace concluded with these conditions followinge.

That betwixte her majestie and the K. of Spayne the former treaties, bothe for amytie and entercourse be renued with abolition of all thinges that hath happened contrary to those treatyes since the begynneinge of her majesties Reigne.

That the States and people of the lowe Countries may enjoye the effecte of the pacification of Gaunte: And that the articles therein conteyned may be agreably to the tyme and other presente circumstances newlye established, whereby peace maye ensue generally in all the lowe Countries, and the strange forces be removed.

That the people nowe beinge in Holland, Zelande, and the other provynces with them unytred, which cannot without the offence of their consciences, receyve the Roman religion, be permitted to have the exercise of the religion which theye doe openly professe, in places convenyent within the same Provynces, the same permission to contynue for X yeares, and for longe tyme after those yeares as shalbe thoughte expediente by the States generall of the whole Provynces.

That the States of the said Provynces nowe unytred may be permytted to leavy soe mutche money as by a contracte betwixte her majestie and the said States they are bounde to answer to her majestie, for her charges in aydeinge of them, and for the suerty whereof her majestie hath in her custodye the townes of Flusheinge and Briell, which uppon the paymentt of the sayd money she will redelyver.

quest. If the Queene cannot have the conditions of the pacification of Gaunte granted for the united Provynces, what shall the Queene doe thearin.

answer The Queene muste proteste to the worlde, that the breache proceedeth not of her; and the reasons whye she requireth to have the kinge to graunte the same are very many as followe.

By former experience the kinge was advised to agree and confirme the pacification of Gaunte, the same bereinge date 17 Febr. 1577 [sic], and if that D. John of Austria had not violated the observation in many poyntes, the peace had followed and contynued in all apparence [sic] probable. 1 that he would dismissee the Germane souldiers as was accorded. 2 He refused to restore to diverse townes their pryviledges. 3 he refused the restitution of many that weare bannished in Burgundy and Lanesburgh [sic]

4 He denyed that the Count of Buens [sic] shoulde be broughte out of Spayne as was covenanted. 5 He departed to Mechlyne uppon colour to dismissee the Germane souldiers, but ther he made a newe pacte to renewe the warre and to surprise the Castle of Andwerpe from the D. of Arscott whoe was lately placed theare.

Item her majestie may review to the worlde how she hathe bene provoked for her just defence to arme herselfe bothe by lande and sea, and to ayde the people of the lowe Countries from the conqueste of the Spaniardes. And that she never shewed her disposition to take from the kinge of Spayne any countrey or towne. Where contrarywise the Kinge of Spayne hathe attempted the conqueste for himselfe of Ireland. And now this yeare hathe obteyned of the Pope authoritie to attempte to conquerre for himselfe all the Queenes Domynions.

And speedely her majestie muste encourage the States of the lowe Countries to unite themselves with all earnestnes, to ennable themselves to their defence, and specially to have a stronge navye one the narrowe seas. And likewise all good meanes must be used in England to be ready by lande and by sea, to the defence and to provyde money.

ques. How farr the Queenes majestie shall presse the cause of religion for the people of Holland and Zealand

answ. To have free exercise of Relligion for yeares without empeacheinge of any professeinge the Romaine. And afterwarde to contynue as the States generall shall ordeyne it. To have in every walled towne one church for their exercise.

quest. If the cause of Relligion be yeilded unto one the kinge of Spaynes parte, and yet the States will not accepte thereof, what weare meete for her majestie to doe.

answer That peace be concluded betwene the Kinge of Spayne and the Queene and that untill the strange forces be removed, some assurance by hostages of Spanyards may be gyven, for observation of the peace.

2. *Diary of Richard Smith in the Continental Congress,*
1775-1776. II.

(Continued from the January number.)

Wednesday 17 Jan^y the Votes read, as was a Petition from D^r Benjamin Church in Jail in Connecticut setting forth his piteous Situation asserting his Innocence and pray'g a Release, this was referred to a Com^{ee} — In Grand Com^{ee} on the Propriety of opening Trade after 1 March next it was concluded to trade to the Foreign West India Islands and to open the Trade under certain Regulations to be fixed by a Com^{ee} now chosen. While we were in the midst of this Business a Packet of Letters came from Gen^l Schuyler, Wooster and Arnold, Col. Donald Campbell and others with the unfortunate News that Gen. Montgomery had attempted before Day Break of the 31st of Dec^r to storm Quebec but this gallant Soldier and amiable Man was killed with the first Fire, Brig. Arnold wounded in the Leg and carried off to a Hospital whereby the Command devolved on Col. Campbell who retreated, not being able to make his Men advance. Major MacPherson Aid duCamp to M^r Montgomery was killed with Cap^t Cheeseman and a few more and on the other Side of the City, Arnolds Detachment to the Number of between 3 and 400 Hundred including Major Lamb and his Artillery had made a Lodgment in the Lower Town but was obliged to surrender after 3 Hours Resistance. A Report from the Com^{ee} about a French Artillery Officer who offers his Service and brought a Certificate from the Military School at Strasburgh and Two Commissions of Lieutenancy from the King of France, was referred to D^r Franklin and Col. St Clair to examine his Abilities. 400 Dollars were advanced to a Canadian Prisoner for his Maintenance, he to give his Draught upon the Kings Paymaster at Quebec. a Petition was exhibited from sundry Captains, Lieu^{ts} and Ensigns of Col Bull's Battalion charging their Colonel with Extortion and haughty Behavior and a Com^{ee} was instituted to hear both Parties and report thereon. the Commissions for these Gent^l were ordered to be signed and delivered. A Com^{ee} reported Instructions for the recruiting Officers which were accepted the pay of a Regimental Surgeon is 25 Dollars p^r Month.

Thursday 18 Jan^y the Proceedings read as usual. A Report was made on D^r Church it was opposed and voted out and a Resolve passed that He shall be confined in a more convenient Room and have Liberty to ride out under a Guard. D^r Smith an Associate to Connolley was brought in Prisoner from Maryland, some of Connolleys Letters written since his Confinement were found on Smith and read and the Prisoner consigned to the Com^{ee} of Safety here. myself and several of the New Members signed the Engagement, heretofore entered into while I was absent, not to divulge any Thing while under Consideration or any Thing the Congress agrees to keep secret, on Pain of Expulsion. the Letters rec^d Yesterday concern'g the

Storm of Quebec were again read and M^r Antill, Son of the late Hon. M^r Antill of N Jersey, who brought the Packet, was called in and examined for 2 Hours, he gave a very clear Account of every Circumstance, he was with Gen. Montg'y when he fell. before this Gent^l came in, Hooper moved in a florid Speech that the Delegates may wear Mourning (a Crape round the left Arm) for One Month for Montgomery and that M^r Duché be desired to preach a Sermon, to which Lynch added that a Public Monument be erected to his Memory, the Motions were objected to by Gov^r Ward and others on the Ground that no Mourning is ever worn by any Courts on such Accounts and that the General is already embalmed in the Heart of every good American and that such Proceeding may cause too much alarm at such a critical Juncture these Reasons had their intended Weight. A Com^{ee} of 5 was chosen to report their Opinion what is best to be done in Respect to the Affairs of Canada. M^r Burr Son of the late President of Princeton Colledge behaved well, as they say, in the Affair at Quebec, Our Troops have made a Stand about 3 Miles from that City, Antill recommends Cap^t Hazen to command a Regiment of Canadians and says these are between Hawk and Buzzard but will generally join our Side if we send a strong Force there immediately.

Friday 19. the Votes read. a Report made of some Accounts. 5 New Members added to the Com^{ee} of Claims in the Room of so many now absent. 10,000 Dollars advanced to the Commissioners of the Southern Indian Department. A Report agreed to relative to the procuring of Sailors for South Carolina. the Report for raising 4 new Battal^s in N York was confirmed and the Yorkers are desired to Recommend at least Two Persons for each Office that Congress may take a Choice. a Report made from the Com^{ee} on Canadian Affairs, it is Resolved to forward the new Levies immed'y and that Gen. Washⁿ be desired to send a Battalion from his Camp, that another Battalⁿ be raised in Canada, and other Parts of the Report were recommitted after an Opinion of M^r Antills on this Subject had been read. the Papers concerning the Complaint ag^t Col Bull were laid on the Table by the Committee who declined making any Report, the Matter was argued and postponed till Tomorrow. The Col. John Haslett, and Lieut. Col. Gunning Bedford of the Lower Counties Battalion were elected. The Com^{ee} of this Place are to be requested to assist M^r Mease in getting Blankets by desiring the Housekeepers to spare each One or Two. Col. St Clairs Battalion is destined for Canada when completed A Motion that the new Troops be inlisted for 3 Years or as long as the War shall continue was opposed by the Northern Colonies and carried in the Negative

Saturday 20 Jan^r The Remainder of the Report about Canada was agreed to, Washington is to detach a General Officer there, the ruling Powers in every Colony are to collect all the Gold and Silver they can for the Service in Canada and 6 or 7 other Articles. Blank Commissions for the New Regiments are ordered to New Hampshire and Connect^t for the greater Dispatch. Report of sundry Acco^{ts} liquidated by the Com^{ee} of

Claims, this Com^{ee} reminded the Congress of Leonard Snowden who was imprisoned here for being concerned with D^r Kearsley and others in traitorous Practices and he, Snowden, was ordered to be released. A Petition was brought in from Cap^t Duncan Campbell praying to be discharged from Jail on his Parole, it was not attended to. Some Powder was ordered for those Companies of Maxwell's who are ready to march to Canada and Tim: Matlack was directed to furnish them with Ball and Flints. Tim. is a Commissary and Clerk in Chief to our Com^{ee} of Claims (this Person who it is said was once a Quaker Preacher is now Col. of the Battalion of Rifle Rangers at Philadelphia). Col. Bull now thought proper to resign his Commission by Writing addressed to the Congress. An Express was ordered to Gen. Wooster at Montreal with Copies of our Votes and to inform of the immediate Succors intended, and the same Express to call on the Com^{ee} of Safety in Jersey.

Sunday I went to Burlington

Wednesday 24 January. I was in Congress. a State of the late Action at Quebec was laid before the House and ordered to be published. 1000 Dollars advanced to Carpenter Wharton the Commissary who goes with the Troops to Albany. A Motion was made by Edw^d Rutledge to appoint a War Office and its Business defined, which was argued and a Com^{ee} of 7 chosen to consider the Plan. most of the Day was spent on a Proposal to address the People of America our Constituents deducing the Controversy ab Initio and informing them of our Transactions and of the present State of Affairs, much was said about Independency and the Mode and Propriety of stating our Dependance on the King, a Com^{ee} was appointed to draw the Address. W Livingston reported an Address to the Canadians which was agreed to with some Alteration and ordered to be translated into French and printed. Edw^d Antill (made L^t Col. to Hazens Regiment) was desired to take £1000 in hard Money with Him to the Gen. in Canada. it was agreed to advance to M^r Hazen £200 to be deducted from the Amount of his Losses, and to allow something to Him and Antill for their Expences in coming Down and going back, — Brig. Prescott being expected in Town to night an Order passed to keep Him under Guard till Tomorrow. Col. De Haas who supplies the Place of Bull in the first Penns^a Battalion made Return of what Arms are wanting for his Men whereupon it was recommended to the City Com^{ee} to procure all the Arms they can for the Soldiers about to march to Canada. Gov^r Ward shewed me a Recommendatory Letter from a Canadian Seigneur, a Captive here, in Favor of the Gov^r's Son now a Prisoner in Quebec.

Thursday 25 Jan^r the Votes of Yesterday read. 4000 Dollars ordered to be sent by the Return of Prescott's Guard, to the Com^{ee} of Safety of our Colony for purchasing Arms for Maxwells Men. Letters were rec^d from Lancaster, Gen. Washington and others, some of them committed to a Com^{ee}. A Petition was read from Matthias Aspden for Permission to load a French Vessel with Produce, it was referred to a Com^{ee}. A Com^{ee} was elected for and reported a Conference with Gen. Prescott and Cap^t Chase

relative to Prescotts Cruelty to Col. Ethan Allen and others, he pleads the Commands of Carlton his Superior Officer the same Com^{ee} enquired of Col. Antill who charges Prescott with great Malevolence and bad Behavior to our People, the Matter is to be further sifted. A Com^{ee} was appointed for and reported a Conversation with Col. Hazen about his Parole of not serving ag^t the King, this from the Circumstances of it, was tho^t void and Hazen reappointed Col. and Edw^d Antill L^t Col. of the 2^d Battalion of Canadians. James Mease was chosen a Commissary to the Troops raised and to be raised in Penns^a for the Continental Service. Gen. Washⁿ inclosed some late English Newspapers in his Letter and informs of the British Troops meeting a Storm and putting back to Milford Haven. his own Army is much in Want of Money and Powder and other Military Stores. 10,000 Dollars voted on Account, to the Troops in North Carolina. 2 or 3 Ships of War are fitting out there for our Service accord^d to Report. The Com^{ee} of Safety in N Jersey are desired to forward the Captive Officers Baggage from Walpack to Lancaster. A Report from a Com^{ee} was agreed to purporting that D^r Franklin shall procure from France or elsewhere a Monument to the Value of £ 300, this Cur^r, for Gen. Montgomery and that D^r W^m Smith Provost of the College be desired to compose an Oration in Praise of the Gen. to be delivered in Presence of the Congress.

Friday 26 Jan^y the Votes read. 1000 Dollars advanced to the Indian Commissioners of the Middle Department. A Com^{ee} chosen to examine Commissary Lowrey and Mease's Fees of One and a Quarter ^pCent it being suggested to be extravagant A Petition from some Citizens of Philad^a praying that no Apprentices may be inlisted without Consent of the Masters was neglected. A Letter was read from Gen. Lee Dated from Connec^t setting forth that he is on his Way for the Defence of N York and has gathered a large Body of Connecticut Militia and inclosing a Letter to him from the Com^{ee} of Safety at N York disapproving of his Proceed^{gs} this occasioned a Motion from E. Rutledge and Duane that a Com^{ee} may be appointed to repair for New York forthwith and agree with the Com^{ee} of Safety there and with Gen. Lee upon the proper Measures of Defence after an Argument of 4 or 5 Hours Harrison, Lynch and Allen were fixed upon to proceed to N York accordingly. Some Letters from Pittsburg about Indian Affairs were postponed.

Saturday 27 January. Letters from Gen. Washington L^d Stirling and others, my Lord has taken a Transport at Sandy Hook and 2 more Vessels are taken by one of the Massachusetts armed Ships. On Motion of Wilson (an Indian Commissioner for the Middle Department) One of the Indian Chiefs was constituted a Colonel and is to be presented with a Gorget. the Matter of inlisting Apprentices and small Debtors was committed to M^rKean, Paine and myself. A Petition was produced from the Debtors in Philad^a Goal praying that the several Colony Assemblies may be directed to devise Methods to free all Prisoners for Debt this Petition was not read the President thinking it coram non Judice. a Petⁿ was read and

committed, from Kepple and Steinmetz pray'g Recompense for a Ship and Cargo carried into Boston to the Value of £5000 and upwards. M^r Inge of Maryland permitted to export Produce from that Colony in Return for Canvass imported. Duane from a Com^{ee} reported on the Indian Treaty at Albany and it was adopted and the Secret Com^{ee} directed to import a large Quantity of Indian Goods for that and the other Two Departments. The Indian Treaty at Pittsburg and Proceedings as returned by the Middle Commissioners were consigned to a Committee of 5. the Com^{ee} of Claims reported a Settlement of L^t Col. Wynkoops Accounts for bringing down Prisoners from Albany, it appearing that the Officers have lived very extravagantly a Resolve passed that the Com^{ee} at Kingston in Ulster County shall settle the Rates of maintaining the Captives there. M^r Kean moved on Behalf of Col. Hazen that he may have the Rank of first Col. in Canada otherwise he declines the Service this was opposed and a Com^{ee} of 2. appointed to confer with Hazen on the Subject.

Monday 29 Jan^r the Votes read and Two English Newspapers of the 8th of November. a Report was made on the Inlistment of Apprentices and Debtors, objected to and recommitted. Report made on Gen Prescott and that Gentleman ordered to be confined in the Common Jail of Philad^a by a Vote of 8 Colonies to 2. Cap^t Chase is to go out on his Parole. Cap^t Nelsons Comp'y of Riflemen from the back Parts of Penns^a was taken into Pay and a Com^{ee} of 3 nominated to agree with him on the Terms and Road of Marching. Wyth made Report on Gen Washingtons Gen Schuylers and L^d Stirling's Letters. Letters were rec^d from Gov^r Trumbull and others. Com^{ee} reported that Hazen accepts the Command as offered to Him and desires to be Recommended to the Generals in Canada. A Petition presented from D^r Wheelock for more Money for his Indian College at Dartmouth in New Hampshire referred to a Com^{ee}

Tuesday Jan^r 30. A Petition was read from a Serjeant in Cap^t (now L^t Col.) W^m Allens Comp'y pray'g Pay or some Recompence from his Cap^t it was ordered to lie on the Table. A Report on Apprentices, small Debtors and Infants inlisting was a second Time made, altered, passed and ord^d to be published. a Com^{ee} of 5 was chosen to consider the Representation from the Convention of N York. Rob. Morris was added to D^r Franklin and Dickinson the secret Com^{ee} of Correspondence M^r President laid before Us a Desire of some Persons that Gen Prescott may be discharged from Goal on Account of an old Wound and his ill State of Health, the D^rs Cadwallader and Shippen Jun^r are requested to visit Him and make Report. D^r W^m Smith had Leave to inspect the Letters relative to Gen. Montgom^{rs} Death, the D^r being to pronounce an Oration on the Occasion. M^r Kean informed Congress that 200 and odd Men in Tryon County are inlisted in the Kings Regiment of Royal Emigrants, M^r M^r Kean was desired to acquaint Gen Schuyler of it by Letter. D^r Franklin from a Com^{ee} reported inter alia in Favor of the Application from D^r Huddleston for Release alledging the Custom of Armies to set free all Surgeons taken Prisoners, it was objected to and postponed. A Bill of Exchange from

Cambridge on the Continental Treasurers for 1000 Dollars, was ordered to be honored. the Report for granting a Bounty for Inlistment in the New England Army was agitated and postponed because Virginia and So. Carolina are not fully represented. Morton reported on Cap^t Nelsons Company of Riflemen which was agreed to. A Letter was rec^d by the Jersey Delegates from M^r Faesch offering to cast Cannon for the American Service. Yesterday I went with some of the Delegates to view the Boom Chain, Fire Rafts and Two Men of War on the Stocks One of 32 and the other of 28 Guns at Kensington. 30,000 Dollars voted on Account to the Com^{ee} for Building the 13 new Men of War. on the 24th Inst^t an Order passed for allow^g the Pay master or Captains to retain Part of the Soldiers Pay with their Consent, to sustain their Wives and Children.

Wednesday Jan^y 31. Votes read and Letters from L^d Stirling Col. Maxwell and others. Maxwell attend'g Paine and Wisner were named to confer with Him and they made a Report and we furnished the Col with Copies of that and a former Order. Cap^t Dempster of the Blue Mountain Valley lately taken by L^d Stirling having a private Property on Board, the same was now restored to Him by Congress at the Request of his Lordship, Quære Whether the Mates Adventure was not also allowed to Him. Wyth reported on the Remainder of Wash^{ns} Schuylers and L^d Stirlings Letters, part of it about the Captive Officers travelling Expences was recommitted The Powers of the Massa^t Delegates expiring this day they seemed to be of Opinion that they could not attend again till their new Delegations arrived but the Appointments published in Two News Papers being read, Congress was unanimous to accept them. the Affair of Prescotts Confinement was agitated and postponed after the Physicians' Opinion had been read. Something done about the Indians of the Middle Departm^t M^cKean moved to reconsider the Resolution of Yesterday about small Debtors, Apprentices and Infants inlisting, he was oppugned and withdrew his Motion.

Thursday 1 Feb. 1776. the Votes of Yesterday read accord'g to Custom Gen: Prescott allowed a Servant and Physicians to see Him in Goal, after a Proposition to allow Him the Liberty of the Hall and Yard and to see his Friends had been voted out by a small Majority. the Report taken up and spoken to about fixing the Price of Expresses and their Stages from hence to Cambridge it was postponed until D^r Franklin the Postmaster has consulted his Deputies. S. Adams was added to the Com^{ee} for Stating Expences. having little business today the House broke up at 2 oCloc which is much earlier than usual.

Friday 2. Letters from Gen. Washington, Gen. Arnold, Col. Lord Stirling and others particularly from Gen Schuyler contain'g a full Acco^t of his Proceedings with the Tories in Tryon and of his Treaty with Sir John Johnson and the Scotch People there and with the Neighboring Indians. the Jersey Delegates rec^d a Letter from Azariah Dunham Esq^r Second in Command on the Expedition to Queens County contain'g a Narrative of Col. Heards Transactions. M^cKean, myself and Wisner appointed to make

out a compleat List of the Captive Officers and privates with their Women and Children and where stationed. Cap^t Dempster ordered to be discharged. Prescott allowed to recieve Visits from his Bro^r Officers and to have Pen Ink and Paper. Lewis informed of several Vessels returned to New York from unsuccessful Voyages for Arms and Ammunⁿ a Com^{ee} was chosen to deliberate upon some of the Letters rec^d today. E Rutledge reported the Substance of some Papers about the Southern Indians that they are disposed to live quietly and take no Part on either Side. Ward from a Com^{ee} reported that the Petⁿ of Keppele and Steinmetz pray^g Compensation for their Ship and Cargo detained by Gen. Howe, ought not to be granted. A Memorial from the Indian Preacher Sampson Occum for establishing Missionaries in the Indian Country was referred to a Committee. adjourned till Monday Morn^g.

Monday 5 Feb. The Minutes read. Dickinson acquainted Congress that D^r Brian of Trenton a Surgeon on Halfpay had rec^d Orders to repair to the Ministerial Army in Boston and desired Leave so to do, this was rejected by all but Dickinson (and perhaps was a Contrivance of Bryan to save his Half-pay) Wyth reported on Gen Schuylers Letters which was passed. Wyth reported on the Rev. M^r Occum's Proposals, Fowler and Johnson Two Indians intended for Missionaries are to inform upon what Terms they will act in that Capacity. The Compan^y from hence (Pennsylv^a) already marched to the Northward having very defective Arms, Gen. Schuyler is directed, after Opposition from Duane and others, to cause an Examination of them and supply the Deficiency with the Arms he lately seized in Tryon County. A Letter rec^d from Col. Maxwell giving Notice that he will march one Comp^y tomorrow and 3 others directly after. D^r Cadwallader certifying that Gen. Prescott's Wound (rec^d at the Battle of Fontenoy) is bad, his Room in Jail damp and his Case dangerous, he was indulged with Liberty to take Lodgings in the City Tavern under a Guard from the Barracks. Duane presented several Papers from the Convention of N York desiring to know Whether they may admit Two Delegates from Staten Island chosen since the Interdict was laid on that Island, they were canvassed and postponed. A Petition from the City Com^{ee} desiring to know the Determinⁿ respecting Tea was postponed because Rob. Morris is not present. Gen Schuylers Narrative of his Transactions with Sir John and the Tories was ord^d to be published in the Newspapers The Foreigner whom D^r Franklin and S^r Clair were to examine as to his Proficiency in the Knowledge of Artillery was now recommended to Gen Schuyler for Preferment, tho some members, Paine and Sherman in particular, did not approve of employing in our Service Foreign Papists. Douglass is our Commodore on the Lakes.

Tuesday 6 Feb. the Minutes read. Col. Heard attending with 18 Tories from Queens County, Crane, M^r Kean and E. Rutledge were named to take his Account of the Expedition, which being reported, the Prisoners are ordered under Guard to N York to be examined and secured by the Convention there who are to report thereon to Us. A Com^{ee} of 5 was

chosen to get Naval Stores from N Carolina to our Men of War building in New England. Letters from Commissary Lowrey and others. A Petition was presented from 3 Captains in Maxwells Battalion for the Allowance to the Recruit'g Officers of 10/ for each Man inlisted, which was granted for the 2 first Jersey Reg^{ts} by 6 Col^s to 2. the last or Dayton's Reg^t is already allowed it. Two Subalterns were appointed as recommended by the Com^{ee} of Lancaster.

Wednesday 7. Letters from L^d Stirling and Harrison One of the Delegates gone to N York and from the Com^{ee} at Lancaster. 10,000 Dollars granted to Commiss'y Mease on Account and 250,000 to the Army at Cambridge and 20,000 to the Marine Com^{ee}. E. Rutledge myself and Duane were chosen to look over the Journals and prepare a State of the Business before the Congress. 2 Committees were consolidated and desired to have all the Officers Prisoners put upon Parole, such of these as are at Trenton to be boarded in that Neighborhood. Acco^{ts} reported and allowed and some Subalterns appointed. Several Com^{ees} chosen. A Frenchman who had brought into this Port Ammunition now requested Leave to export Produce therefor, it was referred to the Secret Com^{ee}. Duane's Draught of a Resolution about the Deputies from Richmond County was canvassed, altered by Chase and forgot by the Interference of other Matters. A Controversy Whether We have yet determined the Affair of Tea. Some Regulations were presented by Lewis about Suttlers in the Northern Army.

Thursday 8 Feb. Votes read. 12,000 Dollars granted for the 4 New York Battal^s now raising. 100 Dollars ordered to be presented to the French Artillery Officer to bear his Charges to Albany. A Report from the Secret Com^{ee} in Favor of the Martineco Man was agreed to. Col. Bull offering his Service was employed to guard the Money to Cambridge. the Form of a Parole settled. Morton, Lewis and Wilson elected to contract for Victualling the Battalions in Chester, Cumberland and York Counties. Dickinson moved to advance Money to a Canadian Gent^l. Prisoner at Trenton, was opposed and dropt his Motion. Debate on a Report allowing a Vessel at Norwich in Connec^t to go out with her Cargo, it was postponed Conolly allowed to walk the Prison Yard 2 Hours every Day on Report of his Physician D^r Rush. A Cask of Powder allowed to Col. S^t Clairs Riflemen to shoot at Marks. A Memorial was read from the Com^{ee} of Safety in Penns^a about Powder Mills and a Motion made by Alexander and others to desire them to manufacture 20 or 30 Ton of our Saltpetre immediately. Duanes Motion was passed, to refer the Acceptance of the Staten Island Deputies and to take off the Interdict, to the N York Conventⁿ.

Friday 9 Feb. Minutes read and Letters from Gen^s Washⁿ. Schuyler Wooster and Arnold and from the N Jersey Convention and a Packet of intercepted Letters from England taken by Manley inclosing private Signals of the Men of War and Transports. Copies of these Signals ordered to Admiral Hopkins and to the Delegates of each Colony. the Jersey Convention recommend Elias Dayton for Col. Anthony Waters White for L^d Col.

and Francis Barber for Major of the 3^d Battalion raising there and they were now chosen unanim'y and their Commissions made out the Convention also desire Directions about Tea saying that People sell and use it on a supposed Connivance of Congress. the Letters from our Gen^s were Com^d to a Com^{ee} of 5. Debates ensued about disposing of the Powder arrived here in Cap^t Craig and 2 Tons were allotted to Penns^a in Part of what has been borrowed 1 Ton to N Carolina as formerly voted and the Rest left for Considⁿ the Manufacture of the Saltpetre was put under the Direction of our Secret Com^{ee} by a Vote 5 Colonies to 4, the latter wishing that the Penns^a Com^{ee} of Safety might have Charge of it. Maryland say they have no Gunpowder at present. M^r Gerry from Massac^s Bay took his Seat. adjourned till Monday.

Monday 12 Feb. Our Com^{ee} sent to N York made Report of their Proceedings. A Letter from Gen. Lee by Express, it appears that he will have soon above 5000 Troops and Militia at New York, Debates whether to send Him more Force and from whence. A Motion by the Virginia Delegates for 3 Battalions to be raised there on Continental Pay in Addition to the 6 already on Foot, occasioned a warm Controversy and was at last postponed. Hewes made a Report which was accepted, on the Mode of getting Naval Stores conveyed from N Carolina to the Northern Colonies. much Time was spent on the Means of Manufacturing Saltpetre and erecting Powder Mills, agreed to put 50 Ton of Saltpetre into the Hands of the Pennsylvania Com^{ee} of Safety and to confirm their Contracts, agreed to send 10 Ton to Massachusetts Bay, 10 Ton to New York and on Vote Whether to send 10 Ton to Connecticut the Colonies were equally divided, consequently it passed in the Negative In Consequence of Advertisements for that purpose from the Com^{ee} of Safety here, Proposals have been made by 8 or 10 Persons for erect'g Powder Mills in Penn^a and Jersey. A Motion by M^r Kean to put 250 Stand of Arms just arrived into the Hands of the Companies here and then they will be ready to march for Quebec, was thrust out of Notice by other interfering Matters. A Note was rec^d from D^r Smith about inviting the Gen. Assembly, Corporation, Associators &c. to hear the Oration next Monday, it was given to the Com^{ee} on Gen. Montgomerys Monument.

Tuesday 13. Votes read. the Question Whether the 3 Battal^s in Virginia shall be taken into Continental Service passed in the Negative 8 Colonies to 3, and one divided. it was agreed to pay the Two first Battal^s there from Nov^r last. 30,000 Dollars advanced for the Troops in Virginia and the Field Officers of the 6 Battalions there, were now elected by Ballot which is our Customary Method. a Major Gen. and Adjutant General were asked for by the Virgians and a Com^{ee} of 5 chosen to consider of a Southern Military Department. Letters from the Jersey Convention and from the Field Officers of Dayton's Reg^t were read and com^d to myself, Bartlett and S. Adams. 600 Dollars advanced to Fairlamb the Commissary in Chester County, and several large sums ordered for sundry Uses. Wilson brought in the Draught of an Address to our Constituents which was very long,

badly written and full against Independency (Wilson perceiving the Majority did not relish his Address and Doctrine never thought fit to stir it again) Chase gave Notice that he would move tomorrow for Orders to Admiral Hopkins to seize all Ships of Great Britain and to recommend to all the Colonies to fit out Privateers. A Direction given that M^cKean should request the City Com^{ee} to delay publishing the Sellers of Tea in the Papers till further Order. Some Money advanced for Gen Lee's Troops in New York and for Col. John Dickinsons who goes on Thursday with a Detachment of Associators from hence to that City. agreed to continue the Pay of Cap^t Bernard Romans during his Stay in Philad^a on public Business.

Wednesday 14 Feb. Letters from Schuyler, Wooster and Arnold rec^d and committed. some Acco^{ts} reported. Application was made from the Shipwrights at this Place in the Continental Service praying Interposition of Congress to stop their Servants and Apprentices whom they cannot hinder from going on the Expedition tomorrow to N York accordingly a Recommendation took place to that Purpose. A Proposition was mentioned for sending Two of our Body to Canada with Charles Carrol Esq^r and John Carol a popish Priest both of Maryland with a View of confirming the Friendship and to induce a Coincidence with our Measures. most of the Day passed in Grand Com^{ee} on Trade.

Thursday 15. the Votes read. I reported on the Jersey Letters. 30,000 Dollars granted on Acco^t to Commissary Lowrey, 5000 Dol^r to the Convention or Com^{ee} of Safety for purchasing Arms, the Long Island Arms in Heards Hands to Col. Dayton and Half a Ton of Powder to the Jersey Conventⁿ or Com^{ee} of Safety. A Letter being rec^d from Gen. Lee the Associators were countermanded going to N York. A Report was made and agreed to about the Mode of fortifying Hudsons River. some Gent^l were selected to go into Canada viz. D^r Franklin, Sam^l Chase and Charles Carol of Carolton Esq^{rs} together with the Rev. John Carol. 150 Arms ordered to Maxwells Troops out of the Parcel just arrived. 8 Ton of Powder ordered into Canada from hence. the Com^{ee} of Safety at N York desired to prosecute the Discovery of the Lead Mine at New Canaan. the Cannon Com^{ee} required to procure what Brass can be collected for Casting Cannon which may be done at the Air Furnace in N York, at Faesch's Iron Works near Elizabeth Town and at other places. 5 Ton of Powder said to be arrived at Egg Harbor and gone thro Brunswick to New York, a Brimstone Mine is said to be at a Place called the Roundabout upon the Raritan between Amboy and Brunswick

Friday 16 Feb. After various Subjects were discussed and decided upon 4 or 5 Hours were spent in Grand Com^{ee} on Trade, Harrison offered some Propositions in Lieu of the Report heretofore delivered in from a Com^{ee} on the necessary Regulations, Wyth also offered Propositions whereof the first was that the Colonies have a Right to contract Alliances with Foreign Powers, an Objection being offered that this was Independency there ensued much Argument upon that Ground, a leading

Question was given Whether this Proposⁿ shall be considered by the Com^{ee} it was carried in the Affirmative 7 Colonies to 5. then it was debated and postponed, afterwards the Regulations of the Trade were handled and finally whether it shall be opened or not and when, upon this Head Chase spoke largely against carrying on Trade at present and Harrison and E Rutledge vehemently for it. there was no Determination.

Saturday 17 Feb. the Votes read Wyth made a Report on the Letters from the several Generals which was gone thro. it was determined that Gen. Lee shall command in Canada. some Cannon and Military Stores ordered there from New York. 35000 Dollars are to be sent by Delegate Floyd to the N York Convention for the Troops there, Gen Schuyler ordered down to N York (an Invitation was sent to the several Delegates to the Funeral of M^r John Cadwallader this Afternoon) Duane reported the State of the Treasury whereupon the follow'g Resolutions passed,

Resolved That a standing Committee of Five be appointed for superintending the Treasury That it shall be the Business of this Com^{ee} to examine the Accounts of the Treasurers and from Time to Time to report to Congress the State of the Treasury. To employ and instruct proper Persons for liquidating the Public Accounts with the different Paymasters and Commissaries in the Continental Service and the Conventions, Committees of Safety and others who have been or shall be intrusted with the Public Money and from Time to Time to report the State of such Accounts to Congress. To superintend the Emission of Bills of Credit To obtain from the different Assemblies and Conventions of the United Colonies Accounts of the Number of Inhabitants in each Colony according to the Resolution of Congress on that Subject.

The Members chosen M^r Duane M^r Nelson M^r Gerry M^r Smith and M^r Willing. Four Millions of Dollars more voted unan'y to be struck under like Regulations with the former Six Millions and it was agreed to have one Million of them in small Bills and to put the Superintendence under the above Com^{ee} John Halstead was appointed Dep. Commissary in Canada. Some Acco^{ts} were reported by M^r Willing Chairman of the Com^{ee} of Claims. John Adams, Wyth and Sherman were chosen to prepare Instructions and a Commission for the Commissioners going to Canada. A Report brought in for dividing the Colonies into 3 Military Departments and fixing the Arrangements it was postponed. A Move to suffer Lieut. Felton to go to England on Acco^t of Sickness was denied. M^r Lewis is engaged to procure Shoes for Part of the Army he has had a Parcel made in Jersey because cheaper than elsewhere. In the Even'g I attended the Treasury Com^{ee} at the City Tavern

Monday 19 Feb. some little Business being done, the Congress, attended by the Penns^a Assembly and other invited Bodies with a vast Crowd of Spectators, proceeded in State to the Dutch Calvinist Church where D^r Smith pronounced an Oration for Gen. Montgomery, the Band of vocal and Instrumental Music was good but played too low for the Place

the light Infantry and Rifle Rangers walked on both Sides of the Congress going and coming.

Tuesday 20. M^r Crane went Home and M^r Sergeant attended in his Stead by Virtue of the new Appointment in these Words,

In Provincial Congress New Jersey

Brunswick 14 Feb. 1776.

On Motion

Resolved Unanimously That W^m Livingston, John De Hart Rich^d Smith, John Cooper and Jonatⁿ Dickinson Sergeant Esq^r be Delegates to represent this Province in the Continental Congress for the Space of One Year or untill others shall be legally appointed in their Stead and that they or any Three or more of them have full and ample Power to consent and agree to all Measures which such Congress shall deem necessary, and this Province bind themselves to execute to the utmost of their Power all Resolutions which the said Congress may adopt, and further if the said Congress shall think necessary to adjourn we do authorize our said Delegates to represent and act for this Province in any One Congress to be held by Virtue of such Adjournment during their Delegation.

A true Copy from the Minutes
W^m Patterson Sec^y

W^m Livingston was added to the Cannon Com^{ee} and they were authorized to contract for Cannon. Chase drew a Form, which I altered, for disposing of the Ship Blue Mountain Valley and her Cargo, no Judge of the Admiralty being yet appointed in Jersey, this Matter was debated and the Necessity of taking the whole Government from the Kings Substitutes was descanted upon and postponed. Reports of Acco^{ts} settled by the Com^{ee} of Claims were made. A Petition and sundry Papers on the Wyoming Dispute were read spoken to and deferred. a few Arms granted to compleat Maxwells Battalion. A Guard of the Soldiers destined for Canada was ordered to escort the Powder going there. Waynes Battalion was ordered for N York when properly armed. Lewis, Alsop and P. Livingston were directed to forward to Gen Washⁿ at Cambridge the 5 Tons of Powder now at New Brunswick

Wednesday 21 Feb. Letters from Gen. Schuyler and others read and committed to 3 Members. the Papers about the Wyoming Dispute and those about the Limits or proposed temporary Line between Virginia and Penns^a were referred to Hewes, W^m Livingston, Paca, Chase and Duane from the Treasury Com^{ee} made several Reports which were accepted, establishing the Denominations of the 4 Millions. one Million of them is to be in $\frac{2}{3}$ ^{ds}, $\frac{1}{2}$, $\frac{1}{3}$ ^d, and $\frac{1}{6}$ th of a Dollar and the other 3 in Bills of One Dollar 2. 3. 4. 5. 6. 7 and 8 Dollars, but more of the 1 and 2 than of the others. an Office is to be established by the Com^{ee} and Clerks employed and all Assemblies, Conventions Com^{ees} of Safety, Paymasters and others who have rec^d Public Money are to settle their Accounts at this Office &c. Duane was the Author of this Plan. Willing from the Com^{ee} of Claims reported

some Acco^{ts} W^m Livingston moved that the Thanks of the Congress be given to D^r Smith for his Oration on Gen. Montgomery and that he be desired to make it public, this was objected to for several Reasons the chief was that the D^r declared the Sentiments of the Congress to continue in a Dependency on G Britain which Doctrine this Congress cannot now approve, Principal Speakers for the Motion Duane, Wilson, Willing, against it Chase, John Adams, Wyth E Rutledge, Wolcott, Sherman at length M^r Livingston withdrew his Motion.

Thursday 22. the minutes read, An Application was made from the Jersey Convention to know Whether the Battalion of Minute Men under Col. Charles Stewart and L^t Col. Mark Thompson which are getting ready for N York at the Requisition of Gen Lee, shall march or not? and if so, desiring some Arms for them, after Debate the Battalion was countermanded. Letters from Gen. Washington L^d Stirling and others were read and referred to a Com^{ee} of the whole, Gov^r Ward in the Chair, the General complains that he cannot get Men or Arms enough, that at least 2000 Men in his Camp are with out Firelocks and the New England Men are averse to inlisting for a longer Term than One Year and not fond of serving under any but Officers of their own choosing. Harrison proposed that 3 Millions of Dollars shall be given Annually to the 4 New England Governments and they to carry on the War their own Way, After these Subjects had been argued and sundry Remedies proposed, the Com^{ee} rose without Determination. the Companies of Waynes Reg^t ordered to N York as fast as they can be got ready. Leave was given for the Colonels of several Reg^{ts} in Penn^a to purchase Arms for their Corps and to draw for the Amount on the Com^{ee} of Safety here which was on Motⁿ of Wilson. Paine and others wished a Com^{ee} to be raised to consider of the speediest Methods of manufact^g Fire Arms in America, deferred.

Friday 23 Feb. the Votes read Carter Braxton Esq^r from Virginia took his Seat. A Com^{ee} of one from each Colony, Sergeant for N Jersey, was balloted for to superintend Saltpetre and Lead Matters and a Sett of Recommendations to all the Colonies on those Heads and to erect Powder Mills was passed, these were presented by John Adams and are ordered to be published. Ward Chairman of the Secret Com^{ee} informed Congress that 2 of the Continental Vessels with Merchandize are taken by the British Men of War and desired to know Whether other Two shall be sent which was carried in the Affirmative after Debate. Application was made for the Discharge of 13 Servants inlisted in Cap^t Harmans Comp^y witho^t Consent of their Masters, a Com^{ee} of 3 was appointed to inquire into it. A Com^{ee} of 5 was elected to encourage the Manufacture of small Arms in all the Colonies. £600 in Gold ordered to be collected by the Treasurers for the Expences of our Ambassadors to Canada, J Adams presented a Sett of Instructions for them which were recom^d that some Matter may be added Debates about the several Powers of the Treasury Com^{ee} and the Com^{ee} of Claims and a Proposal for consolidating them took Rise from Duane's desiring Advice Whether the Public Acco^{ts} shall be settled in the

Several Colonies by able Accountants employed by the Treas'y Com^{ee} or whether the Accounts shall be sent here, the Members inclined to the latter but it was postponed the Two Stoves in our Room (the Assembly Room in the State House) were ordered by general Consent to be taken down as affecting the Health and Eyesight of the Members adj^d till Monday.

Monday 26 Feb. the Votes read, and a Letter from Gen Lee inform'g that he will set out for Canada in a few Days, and a Letter from the Jersey Convention desiring Two more Battalions and Two Companies of Artillery may be raised there for the immediate Defence of the Province, this was referred to the Com^{ee} on the Gen^l Letters. 6000 Dollars advanced to Carpenter Wharton the Commissary. 22000 Dollars ordered to the Maryland Delegates to be exchanged for Gold and Silver in that Colony, £8000 being there offered on Delivery of the Paper Money. An Order passed after long Debate that all the Shipping in the United Colonies now bound to G Britain, Ireland or the British West Indies in Virtue or under Color of a former Resolve allowing Produce to be exported for importing Military Stores, shall be immed'y stopped till further Order and this Resolution to be published, and the further Consideration of that Subject and whether the Custom Houses shall be shut up was referred to a Com^{ee} of 5. Agreed to pay a French Printers Expences and to give Him 25 Half Joes to remove Himself, his Family and Types to Canada and there set up a free Press. A Bill from the Paymaster at Cambridge for 80,000 Dollars being presented for Acceptance was postponed.

Tuesday 27. A Motion by E. Rutledge to countermand Gen. Lee's Journey to Canada and send him to command the Southern Colonies was discussed and postponed till Tomorrow. A Report from a Com^{ee} was confirmed which divides the Country into 3 Military Districts each to be commanded by some General Officers under the Commander in Chief viz. the 4 N England Colonies in the Eastern District, N York N Jersey Penns^a Delaware and Maryland in the Middle District and the Colonies South in the Southern District and it is understood that Canada composes a 4th or Northern District. Some N England Delegates urged to have N York in their District sed non Allocatur. An Order passed request'g the Jersey Convention to secure the Ship and Cargo at Elizabeth Town till further Direction. Rob. Morris produced Letters just rec^d from Bristol with a Copy of the Ministerial Bill for seizing all American Ships which were read, One Letter says their American Army will be about 25000 Strong, Part of it to be directed ag^t the Southern Colonies Part ag^t N. York, that the Whigs are under the Marquis of Rockingham and will desert Us if We aim at Independency, otherwise not, that Commissioners are certainly coming out to treat, that the Scotch Regiments in the Dutch Service are engaged to come here. the Bill is very long and cruel. 100 Dollars voted to a Canadian for his Assistance to Montgom'ys Troops and he is to be recommended to the Commanding Officer in Canada.

Wednesday 28 Feb. Votes read 20,000 Dollars advanced to Commis-

sary Mease. A Report was delivered in by J Adams that 5000 Troops be kept up at N York, that 2 more Battalions and 2 Artillery Comp^s be raised in Jersey &c, it was put off. A Report made by Wyth on Gen Schuylers Letters was partly agreed to, by one Article of it the Jersey Delegates are desired to send the General a Quantity of Steel. E Rutledge renewed his Motion to send Gen Lee to the Southward it was postponed but M^r Lee is to stay his Journey to Canada till further Order. Wilson made a partial Report about the Captives which was confirmed, by Part of it the Com^{ees} of Observation and Inspection where Prisoners are stationed are to oversee them and imprison them if their Behavior deserves it. A Petition from a Frenchman who has bro^t Half a Ton of Powder and the rest of his Cargo in Molasses &c for Leave to export Produce to the Amount of his whole Cargo was argued and the Prayer granted under the Conditions that several other Foreign Vessels have had.

Thursday 29. M^r Whipple of New Hampshire took his Seat. the Minutes read as was a Letter from Gen. Washington inclosing a Letter from Lord John Drummond to Gen. Robertson wherein his Lordship of his own Accord, takes Steps for a Treaty and desires Passports for Commissioners on the Part of the Congress. 4 Hours were spent in Grand Com^{ee} on Trade without any Conclusion, by a former Resolve Trade opens Tomorrow under the Restrictions of the Association. the Points now agitated were the Expediency and Probability of contracting foreign Commercial Alliances and chiefly with France and Spain, and the Advantages and Disadvantages of attempting to carry on Trade in our present Circumstances, much was said about declaring our Independency on G Britain when it appeared that 5 or 6 Colonies have instructed their Delegates not to agree to an Independency till they, the Principals are consulted, the President (Hancock) moved that Madeira Wine may be imported notwithstanding the Association, he meant to please the Southern Delegates who insist on having Wine, but no Question was put upon it. Hewes had a Petition from a Foreigner who has imported Military Stores, praying Leave to load with Produce but Congress adjourned in the Moment of Presentation.

Friday 1 March. the Votes read and Letters from New Hampshire about a Dispute there on their setting up an Independent Form of Government, these were committed to 3. the Report for raising 2 more Regiments and 2 Artillery Companies in N Jersey was considered and rejected. Some Quæries of Commissary Mease were referred to a Com^{ee} of 3. a Com^{ee} of 3 was appointed Six new Brig. Generals were chosen by Ballot viz 1 Armstrong of Penns^a 2 Thompson of Penns^a now at Cambridge 3 Lewis of Virginia 4 Moore of N Carolina 5 L^d Stirling 6 Howe of N Carol^a and their Stations assigned in the Middle and Southern Departments Armstrong is to go to Virginia and together with Lewis, Moore and Howe to be under the Direction of Gen. Lee who was now voted to Command to the Southward. Thompson is to join L^d Stirling at N York. An Addition was made to the Salary of Joseph Reed Esq. Sec^{ry} to Gen. Washington, he had before 66 Dollars per month it was now made 100

under Pretence that he is obliged to act as Secr'y to the Naval Departm^t too, this was on Motion of Harrison. A Chest full of Acco^{ts} transmitted from the Assembly or Government of Mass^s Bay hither for Settlem^t was referred to the Com^{ee} of Claims, a Person attends from thence to explain them. A Petition was presented but not now acted upon, from a large Number of Philadelphians pray'g the Congress to grant Leave for Privateers and Letters of Marque to seize the Ships of G Britain Ireland and the other British Dominions. Adj^d till Monday

Tuesday 5 March Letters from Gen^s Schuyler, Wooster and L^d Stirling, part of one of Schuylers was com^d to 3. it was concerning a supposed Invitation from Gov^r Penn to the 6 Nations to meet Him at Philad^a. Andrew Allen said he had made particular Inquiry into the Report and assured the Congress it was groundless. the other Letters were referred to a former Com^{ee} an Order passed to furnish the first and 3^d Jersey Reg^{ts} with Medicine Chests. the Com^{ee} on the Wyoming Papers recommended that they be referred to the Penns^a Assembly which was done accordingly. 4 or 5 Hours were spent in Grand Com^{ee} Col Harrison in the Chair, on Lord Drummonds Letter to Gen. Robertson Wyth offered a Sett of Propos^s import'g that no Public Bodies or private Persons other than the Congress or the People at large ought to treat for Peace &c which were negatived 8 colonies to 3 and one not fully represented, a Motion by W^m Livingston that L^d Drummond be sent for (from N York) to explain his Conduct non allocatur, Nothing more was done on it than the Letter ordered to remain with our Papers and the President desired to acquaint Gen. Wash^a that the Congress agree in Sentiment with him on the Subject. the rest of the Gen^s Letter was referred to a former Com^{ee} it appeared that L^d Drummond had conversed with several Delegates as E. Rutledge, Wilson and Duane on the Subject of Pacification and, unauthorized by the Ministry, had thrown out his own Ideas of what the Ministry would concede and expect and had endeavored to draw from those Members what Congress would demand and accede to on their Part.

Wednesday 6 March the Votes of Yesterday read and some Letters from Gen Washington and others. some Motions among the King's Troops in Boston indicate that they intend soon to evacuate the Place, our Gen. intends to bombard the Town if he can get Powder but a Council of War have determined it not to be expedient at present. the Marine Com^{ee} was filled up (Sergeant for N Jersey). our Debts of Powder to Penns^a and N York ordered to be paid and 5 Tons ordered to the Southern Departm^t one Ton to the Lower Counties, one Ton to N Jersey and some to Maryland. the 350 Stand of Arms just arrived, were ordered, some of them to repay Penns^a and the Remainder to Waynes Battalⁿ now going to N York. A Motion by E Rutledge to send Major Hausaker to the Southward was carried in the Negative 6 Colonies to 5. On Motion of Harrison, Tho^s Bullet of Virginia was made Dep Adjutant Gen. with the Rank of L^t Col. Brig. Thomas was voted to command in Canada with the Rank of Major Gen. this was on Motion of E. Rutledge Hooper just returned from

Boston says that Cap^t Manley with 5 or 6 Privateers are laid up for Want of Powder (Manley soon got out again) A Motion to appoint the Field Officers for 4 Battal^s in N York was considered and postponed. the Business of finding and smelting Lead was given in Charge to the Saltpetre Com^{ee} Willing Chairman of the Com^{ee} of Claims prayed Advice at what Period the Massach^s Bay may begin their Acco^{ts} ag^t the Continent Whether from the Battle of Lexington or some Time before, this Point could not now be settled. Motion by Sherman to examine Tho^s Walker and M^r Price of Montreal before the House on the State of Canada, was opposed as unnecessary and dropt.

Thursday 7 March the Votes read and Letters from various Persons. Reports of Acco^{ts} made and agreed to be paid. Harrison informed Congress that Major Isaac Melchior had grossly abused the President and damned Him and the Congress, the President had presented Him with a Captains Commission which was much below Melchiors Expectation (he went a Volunteer from Philad^a to Cambridge and from thence with Arnold over to Quebec) after long Debates on the Power of the Congress to commit, and on a Motion made by Harrison to declare Him incapable of serving the Continent hereafter, a Resolution drawn by Johnson took Effect which after shortly stating the Offence charged, orders Him to appear before Congress to morrow Morn'g at 11 oCloc to answer the same. An Applicatⁿ made by the Jersey Delegates in Favor of a Demand of Michael Kearney was com^d to the Com^{ee} on Gen Washingtons Letters, L^d Stirling had seized Kearneys Shallop and made Use of Her in taking the Blue Mountain Valley the Shallop being afterwards taken by the Enemy, the Prayer is for Compensation out of the Ship. the L^t Col of Thompsons Riflemen was promoted to the Regiment and the Eldest Cap^t made L^t Col. L^t Col. W^m Winds of Lord Stirling's was made Col and Matthias Ogden (who was at the Affair of Quebec) L^t Col. these Two were vacant by their Col^s becoming Brigadiers. Arms were ordered for the Powder Guards. 100,000 Doll^s advanced to Connecticut in Part of their Demand after much Fault found with them for not settling their Accounts. Hooper says the Eastern Demands ag^t Us are vastly great, that some Commissary there employs above Sixty Clerks at our Expence &c

Friday 8. the Minutes read. the Field Officers of 4 N York Battalions were now elected by Ballot as usual. Isaac Melchior sent in a penitential Letter and attending according to Order was called in and acquainted by the President with the Particulars of the Charge ag^t Him, he pretended Ignorance of the Words but begged Pardon of the President and of the Congress for his bad Behavior, whereupon he was dismissed without Punishment in Consideration of his late Military Services. A Com^{ee} of 3 viz. Gerry, L Morris and Wolcott appointed to consider of the best Methods of victualling the Canadian Army, a Report was agreed to on this Subject and on the Gen^s Letters, by part whereof Peter Zabriskie is to be employed to convey Provisions to Albany, by another Article no Indian is to be employed in our Army without Leave of the Indian Nation

in Council and witho^t express Leave of Congress (this appeared to me a very absurd and impolitic Regulation). a long Altercation followed on the first Article of a Report made by John Adams for reconciling the Differences between the Generals Schuyler and Wooster, the Article was at last voted out and other Parts of the Report adopted. An Application to make M^r Price Dep Commissary of Canada was referred to our Gent^l now going there. Accounts transmitted from Canada by Col. Hazen of the Damages done to Him by our Soldiers who had destroyed or damaged his House at S^t Johns and killed his Cattle &c were referred to a Com^{ee} of 4 viz. Wyth, Ward, Sherman and S. Adams. Letters read from Gen Lee and others. E. Rutledge reported That the Com^{ee} had conferred with Gov^r Penn on the supposed Message to the 6 Nations who disclaimed any Knowledge of it. some Order was taken to inform Gen Schuyler hereof and to desire Him to send down the Person who had misinformed Him An Advance of 10,000 Dollars

[Half of one of the small pages of the original MS. is missing at this point. — *Saturday, March 9.*] Instruc[tions for the Commissioners] going to Canada and . . . of them took up 3 or 4 Hours . . . that Part recommend'g to them [to] form a Constitution and Governm^t for themselves without Limitation [of] Time which Jay and others said was an Independence and there was much Argum^t on this Ground

[Half a page missing. — *Monday, March 11.*] . . . in the Negative. Letters from L^d Stirling [and] Gen Lee, the latter being in Town desires to know how and when he may pay his Respects to Congress and recieve their Commands. A Com^{ee} of 3 viz R. H. Lee, E Rutledge and . . . was appointed to inquire of the General the best Methods of defending New York. Sherm[an re]ported an Inquiry into the Cau[se that] brings so many Indians (about . . . different Tribes) at present to Philad^a they only come, it seems, to see the Governor and recieve Presents from him as usual. Our Secret Com^{ee} of Correspondence, Harrison, Franklin and Dickinson were asked what they knew of the Disposition of France and other Foreign Powers and say they have not yet had Time to recieve Returns to their Dispatches.

Tuesday 12 March. In Com^{ee} of Claims we agreed to give Timothy Matlack and One Clerk employed by Him £6 ⁸/₁₀ Week for their Services (there are more Clerks employed by the Com^{ee}) . . . has had hitherto 15/⁸/₁₀ Diem [for] attend'g the Com^{ee} of Claims. In Congress the Votes were read. 20,000 Dollars advanced to Commissary Mease. 4 or 5 Hours were spent on the Instructions to our Canada Commiss^r they were gone thro but Chase offered some others in Addition which are to be considered tomorrow Wyth made a Report on Hazens Demand referring the Facts to be ascertained by the Commissioners which was confirmed.

Wednesday 13. the Votes read On Motion of Chase a Com^{ee} of 7, Duane at their Head, was chosen to consider of Ways and Means of raising Supplies. R Morris informed Congress that a Tender was sent from New York to cruise at our Capes; whereupon it was agreed that our Marine

Com^{ee} should purchase for the Continent a Maryland armed Brig now at Philad^a and send her immed'y to fight the Tender and to keep this Matter secret for the present 5 or 6 Barrels of Powder were allowed to Cecil County Maryland. a Letter read from the Com^{ee} at Eliz^a Town desiring some Powder, with other Letters. A Report made and allowed, from the Com^{ee} of Claims for paying the Music at D^r Smiths late Oration. from 12 oCloc till 4 the Congress was in Com^{ee} Gov^r Ward in the Chair, on the Petitions for allowing Privateers to cruize ag^t the English, Chase offered a Sett of Propositions and Wyth a Preamble, Willing and Johnson were the only Members who spoke directly and clearly ag^t the Measure, Jay was for a War against such only of the British Nation as are our Enemies, E. Rutledge was ag^t Privateering in any Case and for Letters of Marque in this Case, many Delegates were strongly for the Thing but the Determination was left till Tomorrow. D^r Franklin read some Extracts of Letters to Him from Paris giving a high Character of the Baron Woedtke late a Major Gen of Cavalry in the Prussian Service and Aid du Camp to that King but now in Philad^a whither he came last from Paris.

Thursday 14 March. the Minutes read. R. H. Lee from a Com^{ee} reported Gen Lees Opinion about fortifying New York which was considered. he recommends 8000 Troops to be kept there which was agreed to and the foll'g Battal^s destined to that City viz Winds's late L^d Stirlings already there and Daytons from N Jersey Wayne's, Irwin's, Shee's and Magaws from Penns^a with the 4 N York Reg^{ts} now raising, it was moved that Hazletts from New Castle be also sent but this was postponed. W^m Livingston moved that a Day of General Fasting and Prayer be appointed which was relished and he desired to draw up his Motion. Some Acco^{ts} passed. much Time was spent in a Resolution to disarm the Tories generally, the Thing was not opposed but the Terms of the Resolves were fully discussed they passed at length and the Delegates of each Colony are to transmit them for Execution. A Letter was read from Brig. Prescott complain'g of a Breach of Capitulation in the Treatment of his Person and Effects it was referred to the Com^{ee} on Prisoners (myself One of them) to hear and examine the General and report to Congress, the Vote was taken to hear Him before the House but carried in the Negative

Friday 15. the Votes read and Letters from Gen Washington with a Packet of intercepted Letters, and Two Letters from Arthur Lee to W^m Temple and brought by Him from England sewed in the Lining of his Cloaths. our Troops have bombarded Boston with little Effect except that Howe and his Men are about to leave the Town, we burst 5 Mortars. Lee's Letters say that the Ministry cannot get Russians France having influenced Sweden to interfere, nor can the King make his Force here 20000 Men this Summer by any Means whatever, that France declares if Foreign Troops are sent She cannot be an idle Spectator, and is really disposed to favor our Cause &c A Letter from L^d Col W^m Allen informing that L^d Stirling has detained his 6 Companies at N York and a Letter from his Lordship explaining his Motives and saying that he has ordered Militia

from N York and Jersey to his Assistance. a Letter from Gen. Lee pray'g his Orders. The Congress in Com^{ee} (Col Harrison in the Chair) came to several Resol^s importing that Nelsons Comp'y of Riflemen shall march immed'y to N York, that the Troops detained by L^d Stirling shall proceed on their Destination to Canada, that the Colonies of Connecticut, N York and N Jersey shall be directed to hold their Militia in Readiness to march on the Requisition of the Command'g Officer at N York, that the Pay of such Militia shall be 5 Doll^s & 1/2 Month &c the last occasioned great Debate the N England and Southern Pay being 50/ this Currency. J Adams moved that the Baron de Woedtke be made a Brig. Gen. and stationed at N York. this was rec^d favorably but not now settled. Agreed in Congress on motion of R H Lee that all General Officers travelling on the Public Service shall make a Charge of their Horses Keeping, the same Thing passed, on Motion of Harrison, some Days ago with respect to Aids du Camp. Lee and Franklin were desired to wait on Gen. Lee and request Him to repair from hence forthwith to his Southern Department. the Massachusetts raised (as is said by one of their Delegates) 18000 Men in the Beginning of this War, whereof 16000 were taken into Continental Pay and Service. an Order took place for arming the Guard which sets off this Even'g with the Powder for Virginia.

Saturday 16 March the Minutes read and sundry public Letters. W^m Livingston brought in the Draught of an Order for a General Fast which was agreed to and ordered to be published The Baron de Woedtke was unanim^y elected a Brig. Gen. and ordered to N York for the present and to go with the Commissioners to Canada. Congress resolved itself into a Com^{ee} on authorizing Privateers, Jay offered his Propositions he and others contended for discriminating Foes from Friends. D^r Franklin thought a Declaration of War ought to precede this Business there was no Determination. A Note of Hand from Gen Wooster to Tho^s Walker of Montreal Esq^r for 50 Half Joes with Interest, was presented for Payment, Chase and others objected to paying Interest as our Officers might run Us into an enormous Debt, it was postponed. The Accounts of M^r Price of Montreal were offered for Adjustment and referred to the Com^{ee} of Claims, this Gent^l and his Partner M^r Haywood have lent great Sums to our Army there. Carpenter Wharton the Commissary was authorized to continue victualling the Penn^a Troops after their Arrival in N York.

Monday 18 March the Votes read. 20,000 Dollars advanced to Commissary Mease. some Promotions made in One of the Virginia Reg^{ts} in Consequence of Col. Henry's Resignation. the Congress was again in Com^{ee} on the privateering Business, several Resolut^s were come to after an able Debate. by the first, Leave is to be given to commission Privateers and Letters of Marque to cruize on British Property the Vote stood thus, For the Resolution New Hampshire, Massachusetts, Rhode Island, Connecticut, N York, Virginia and North Carolina, against it Penns^a and Maryland, the other Colonies not sufficiently represented to vote, Ireland was excepted and the other British Domin^s with the Consent of all but Chase

and myself (it appearing to me very absurd to make War upon Part only of the Subjects and especially after the Irish Parl^t had declared decisively ag^t Us) Leave for the Com^{ee} to sit again on the same Affair. R H Lee moved to take Mons^r Arundel and another Frenchman into the Southern Departm^t which was opposed by D^r Franklin and referred to our Com^{ee} for consider'g the Application of Foreigners.

Tuesday 19. Minutes read. 250,000 Dollars advanced to Gen Washington and 50,000 to Gen Schuyler, The Com^{ee} of the whole went thro the Articles on Privateers and they were referred to Wyth and Two others to prepare a Preamble. Vacancies in several Committees were filled up. A Captain of Artillerys Commission ordered to Mons^r Arundel. Wyth made a Report for the Appointment of a Commissary of Prisoners which was recommitted and for recompensing Michael Kearney for the Loss of his Boat which was confirmed. A Ton of Powder was ordered for the Vessel of War here and ready to go down to guard Delaware Bay. sundry public Letters read and some of them Commit^d. Johnson threw out for Consideration the Propriety of establishing a Board of Treasury, a War Office, a Board of Public Accounts and other Boards to consist of Gentⁿ not Members of Congress. the Draught of a Commission to D^r Franklin, Chase and Carrol was bro^t in and some additional Instructions. In the Even'g S. Adams, Wilson and myself spent an Hour with Gen Prescott at the new Tavern, he was open and free, endeavored to justify every Thing by the Commands of Carlton and explained at large his Complaints.

Wednesday 20 March. the Minutes of yesterday were read with Letters from L^d Stirling and others. The Commission and Instructions to the Canada Commissioners were canvassed and finished, by One Clause any Two of them are allowed to abate Fortifications and to construct any so as not to exceed 100,000 Dollars. some Com^{ees} were filled up. Major Brixon lately from England being recommend^d for the Service in Canada in Quality of an Engineer a Com^{ee} was raised to consider the Application. several Acco^{ts} allowed. E Rutledge moved that Magaws Regiment may be furnished with Pikes they having no Guns, it was desired also for several other Reg^{ts} the Matter was debated and left for further Consideration. On like Motion Col Magaw was allowed 3000 Dollars on Acco^t to purchase Arms with. S. Adams reported about the Prisoners at Trenton

Thursday 21. the Votes read. Col Charles Stewart of Hunterdon directed to muster Cap^t Woolvertons Comp^y who offer themselves for the Service and 600 Dollars were allowed the Col for their Use. John Adams from a Com^{ee} reported some Resolutions which were amended and passed recommending to the Colonies to encourage the Culture of Flax, Hemp, Cotton and the Increase of Wool, to form a Society in each Colony for the Encouragement of Arts, Manufactures Agriculture and Commerce &c these were ordered to be published, a Clause was erased for a standing Com^{ee} of Congress to correspond with and assist these Societies. A Com^{ee} of 3 was appointed to superintend and hasten the Printing of the Journal. some Letters and Papers from N Carolina were read giving

an Acco^t of the Defeat of the Tories by Col. Caswell, Brig. Gen Donald McDonald is taken Prisoner, Cap^t Mac Leod and other Officers killed. Harrison moved that Gen Washington do discharge all the unarmed Men in his Camp when he has used his Endeavors without Success to arm them, which was carried after some Opposition. Mons^r le Chevalier de S^t Hillaire was made Cap^t of an Independent Comp^y and ordered to Canada.

Friday 22 March. Votes read and Letters from Gen Washⁿ L^d Stirling and others. D^r Franklin moved that 750 Doll^s be advanced to the Baron de Woedtke out of his Pay and this was agreed to, he moved also to present the Baron with 250 Dollars to bear his Expences in coming over Sea and to buy Horses &c Lee and others supported the Motion which was opposed by Duane & al. and carried in the Negative Wyth reported the Preamble about Privateering, he and Lee moved an Amend^t wherein the King was made the Author of our Miseries instead of the Ministry, it was opposed on Supposition that this was effectually severing the King from Us forever and ably debated for 4 Hours when Maryland interposed its Veto and put it off till Tomorrow, Chief Speakers for the Amend^t Lee, Chase, Serjeant, Harrison, against it Jay, Wilson, Johnson. Willing presented Heard's Accounts and asked Whether Congress would allow Pay to the Minute Men who went on the late Expedition to Queens County, this was denied and the Acco^t amounting to £2300 and upwards docked to £800 and odd, the Feriages being above £60 were allowed, Willing moved for a Standing Rule that only Half Ferriage shall be hereafter taken for Soldiers, but other Business intervened. A Petition from a Sufferer in the Disputes at Wyoming was committed to 3, after Objection that it was improper for our Cognizance. Agreed to grant Commissions to Cap^t W^m Shippen and his Officers who are about to cruize in a Privateer on or out of Chesapeake Bay, agreed also to sell Him lb 300 of Powder.

Saturday I was not present but inter alia 30,000 Dollars were advanced to Commissary Lowrey.

Monday 25 March. Votes read and Letters from Gen Washⁿ President Tucker and many more. Howes Troops have abandoned Boston and our People are in Possession. John Adams moved that the Thanks of the Congress be given to the Officers there for their good Conduct and that a Gold Medal be struck with a proper Device and presented to M^r Washington, accordingly J Adams and 2 more were appointed a Com^{ee} for those Purposes. S Adams from a Com^{ee} reported Major Brixon as fit to be Adjutant General in Canada with the Rank of Brigadier, this was objected to, by Allen particularly, and the Report recommitted. R H. Lee moved that Gen Washⁿ be directed to detach from his Army 4 Battal^s to Canada if the Service will admit, he was supported by Johnson and Duane and strongly opposed by Harrison but the Motion passed in the Affirmative, A Report for appointing a Commissary General in Canada was much agitated, M^r Price was proposed but it appeared that one Halstead was in Possession at Quebec, by Consent of Congress and that Walter Livingston had been appointed, the Report was negatived, an incidental

Question was debated Whether Schuyler or Thomas was to have the chief Command and whether Canada was a distinct Department. 20,000 Dollars advanced to the Virginia Troops. Johnson made a Report inter alia, that 2 Battalions now on Foot in South Carolina and 3 in Virginia should be put upon Continental Pay and Establish^t which passed without any Negative but my own.

Tuesday 26. a Com^{ee} of 3 viz Hopkins, S. Adams and Wolcott named to take Order about the Funeral of Gov^r Ward who died last Night of the Small Pox and to invite the Rev. M^r Stillman to preach a Sermon, the Congress agreed to attend the Funeral as Mourners, to wear Mourning for a Month, to invite the Gen Assembly and other Public Bodies and to do no Business till the Funeral is over, only Hooper going Home desired that North Carolina may, if they think it necessary raise Two more Battalⁿ upon Continental Pay and Estab^tshment which was granted, no Man but myself dissenting. the Pay of the Maryland Minutemen who lately went to Virginia settled at 50/. Commodore Douglass ordered to his Command on the Lakes. Adj^d till Thursday 10 O Cloc

Thursday 28 March the Votes read and Letters from Pres^t Tucker and others our Colony has raised on their own Bottom 4 Companies to be stationed in Midd^x and Monmouth and our Militia are marching to N York or Staten Isl^d under their Brigadiers Dickenson and W^m Livingston. M^cKean informed Congress that the Tory Prisoners in Philad^a Goal have attempted an Escape and have provided Implements and a Ladder to escape this Night whereupon M^r M^cKean is to direct the Sheriff to confine Conolly Smith and Kirkland seperately and get a sufficient Guard from the Barracks. 20,000 Dollars advanced to Commissary Mease and 1000 to Fairlamb Commissary to Waynes Battalion. R. H. Lee moved sundry Resolⁿ which were negatived as for a Dep. Commissary General to be established in Virginia and for Aids du Camp to the Brigadier (Armstrong) command^e there, he moved also for Two Engineers there which passed. Dugan of Canada presented with 1000 Dollars for his past Services and created a Major with the Rank of Lt Col. he is to have the Command of 3 Companies of Rangers in Canada and to name all his Officers this was in Consequence of a Report made by Harrison from a Committee. R. Morris moved to purchase another Ship on Continental Acco^t in this Harbor to be fitted out for the Protection of Delaware Bay which was granted. A Petition from Tho^s Walker of Montreal setting forth his Sufferings from Prescott and Carlton and praying Redress was considered and left undetermined, M^r Walker soon after returned to Montreal without Redress and his Case on Oath was published in Bradfords Paper about 1 May. Ritzma elected Col. of a N York Battalⁿ

Friday 29 March. Votes read and Letters from the Com^{ee} of Safety at New York, from Gen Schuyler, Gen Wooster and a Letter from Vice President Fisher of New Jersey praying Congress to reconsider Heards Acco^t and grant Pay to his Minute Men On Motion of Lee a Report was taken up on Canadian Affairs and after Debate M^r Price was elected

Deputy Commissary with a Salary of 60 Dollars p Month Trumbull the Commissary General has 80 Dollars p Month. M^r. Price is to have the Canadian Department, some Articles of the Report were expunged. (our Com^{ee} of Safety have ordered £200 for the Use of their Delegates here). the Modes of supplying the Treasury were considered.

Saturday 30 March. I was not present but among other Things ut audiui, Heard's Acco^{ts} were reconsidered and the whole Demand allowed.

I went Home to Burlington on Sunday having suffered in my Health by a close Attendance on Congress.

REVIEWS OF BOOKS

A Lecture on the Study of History. Delivered at Cambridge, June 11, 1895. By Lord ACTON, LL.D., D.C.L. (London and New York: Macmillan and Co. 1895. Pp. 142.)

IF this little volume is stimulating from one point of view, it is depressing from another. It stimulates with its eloquent presentation of high ideals of the value and uses of history; it depresses by conveying to the reader the conviction, which Rasselas formed from Imlac's definition of a poet, that the necessary qualifications can never be found united in a single individual. Patient and endless delving amid forgotten documents and accumulated archives, and the inflexible resolve never to accept a statement without sifting it to the bottom, are the first indispensable requisites, to which are to be added knowledge of the world and of men, familiarity with policies and statecraft, clear insight, accurate judgment, and literary skill. It is well to hitch one's wagon to a star—if only one can reach the star—and, as it is the duty of a teacher to train his pupils to strive for the highest excellence, no fault is to be found with Lord Acton for the lofty standard which he thus presents to their youthful energy and ambition. Worthy work is performed only in the endeavor to attain the unattainable, and he who puts forth his whole powers must perforce abide by the result, although it will always fall short of his hopes and aspirations.

It is not so easy to agree with the lecturer on another point of the highest importance—a point, in fact, on which turns the whole question of the objects and methods of history. He appears (pp. 44 *seqq.*) to set small store by impartiality. The task of the historian is not simply to discover the truth and set it forth so that its lessons shall teach themselves; in his view the student of history is “the politician with his face turned backwards” (p. 58). Superhuman wisdom might, perhaps, educe from the past permanent rules for the guidance of the present and the future, but, human nature being what it is, the historian, who conceives it his duty to investigate and present his facts with a view to a moral suited to his own time and his own opinions or prejudices, will be tolerably sure to distort the past, while the moral sought for to-day may perhaps be something wholly different to-morrow. We can none of us be sure of absolute impartiality; with the most resolute effort to worship pure truth alone, there will always be a residue of prepossession or prejudice, and the wisest advice that can be given to the student is to cultivate sedulously the judicial habit and to beware, above all things, of becoming an advocate. In any

other frame of mind the investigator is apt to become the victim of expectant attention.

There are other matters on which, if space permitted, issue might fairly be taken with Lord Acton; for the lecture touches, incisively if briefly, on almost every disputable question connected with its subject. All are treated acutely, with the immense and varied erudition for which the author is distinguished, and the book will be profitable reading for every one who is interested in the study or teaching of history.

HENRY CHARLES LEA.

Constantinople. By EDWIN A. GROSVENOR, Professor of European History at Amherst College. With an Introduction by General Lew Wallace. (Boston: Roberts Brothers. 1895. Two vols., pp. xxii, xiii, 811.)

CITIES are open to detailed description either in their organic growth and government, in their relation to the general current of history or in their monuments. Professor Grosvenor has adopted the last course. He has written an archæological tour of Constantinople and its environs. He comes to his task with unusual personal qualifications; for twelve years a professor in Robert College, a member of the Hellenic Philologic Syllogos of Constantinople, of the Society of Mediæval Researches in the same city, and of the Athenian Syllogos Parnassos, he has shared the labors of local archæologists, and his text breathes their enthusiasm, and sometimes, one must add, their inevitable lack of perspective. The entire work is written in the key of constant and sometimes overstrained personal interest. This has its advantages in accumulating detail, and lending life and local color. It has its disadvantages in a style which might without loss be soberer and less Byzantine.

On its archæological and local side, the volume stands alone. Many books of travel have dealt with Constantinople. No technical description of the city exists in English. Its last minute account, Ball's translation of Petrus Gyllius, 1729, is approaching the end of its second century, and the descriptions published in connection with editions of Byzantine historians deal with this aspect. In these two volumes, the reader of Gibbon has at length, in the same tongue which the great historian selected for his monumental work, a picturesque and copious account of the great city about which his history centres, and which alone among earth's cities has been for a millennium and a half without interruption the seat of empire and of rule.

Beginning with a sketch of the site, somewhat deficient in its treatment of physiographic conditions, Mr. Grosvenor narrates the history of the city in successive chapters, and passes to a minute account of the region about Constantinople in the light of the historic incident which has made each spot memorable. This occupies the first volume, part of which, with all the second, is devoted to the monuments of the city. Sancta Sophia has

sixty pages, the Hippodrome thirty-nine, previously published as a separate paper, and the long circuit of churches has each its careful summary. Throughout, the attitude and atmosphere is that of the American visitor and the local archæologist. The past is always seen in the light of our raw Western present, and every object is hallowed by that nameless charm dear to all who have known some old city well and felt for it "as a lover or a child." The happy result is that Mr. Grosvenor dowers the reader with his own entranced interest. His volumes are a most competent topographical companion and guide-book, to which one may unhesitatingly refer the student and reader, for whom Byzantine annals, in whatever shape presented, have hitherto lacked a local interest and an intelligent topography. For general and popular use, Mr. Grosvenor's work gains greatly from his point of view. This has, however, led him to omit all references to authorities, to blend what might have been with what is known to have been, and now and then to accept as proven what the local antiquarian believes to be true. These instances are few, attach to minor monuments, and weigh but little by the side of the very large additions our author has made to the knowledge of the Byzantine city by his personal investigation and discovery (as in the old imperial entrance to Sancta, or in several inscriptions), and still more by his sedulous collation of Byzantine historians, the publications of local archæologists, and the sites themselves.

No one writing in English has attempted this arduous task before as a whole, and no one who approaches Stamboul by any of the many paths that lead to its gates but is in Mr. Grosvenor's deep debt. Invaluable as he is, however, in all the local relations of his subject, he scarcely grasps the broad currents of empire and of trade which have guided the rise and fall of the city which for nearly three thousand years has sat on the Golden Horn. Founded as an incident of Greek trade in the Euxine, Byzantium waxed great in the centuries when Phœnician galleys and Persian rule closed the routes to the East by the Red Sea and the Persian Gulf. When Alexandrine conquest, the Ptolemies, and Rome opened these routes, Byzantium, with other cities on the Black Sea and on the Bactrian trade-routes of the interior, declined. When the Arab expansion closed the southern route in the fourth and fifth centuries, culminating in the seventh, Constantinople again flourished as the old land-routes were reopened. When Turk and Tatar closed both northern and southern land and sea routes, the eastern Mediterranean sank into the eclipse of trade just ended by the Suez Canal. Greater value might have been given to the numerous and most accurate accounts of edifices, had a more comparative treatment been adopted. For a clear comprehension of the relation which the buildings he describes bear to the great stream of architecture East and West, the reader must look elsewhere than to Mr. Grosvenor's pages. His account of the rise of the Turkish Empire follows fabulous tradition without comment. His eulogy of Abdul Hamid has awakened some severe *ex post facto* criticism; but it is fair to remember that, prior to the massacres of 1896, all our author says would have been echoed by nineteen out of

twenty European or American residents of Turkey competent to judge. In presswork and paper, the volumes are a little overdone, with an eye to the Christmas market instead of the historical student. The illustrations are ample, admirable when from photographs, and in other cases usually well selected. The transliteration of Turkish and Arabic names and words, in general, follows French models ; but it is far from satisfactory and by no means uniform. The second edition, which the work deserves, should have a list of Byzantine emperors and of Othmanli Sultans, and maps of the region and of the city at different periods.

TALCOTT WILLIAMS.

The Universities of Europe in the Middle Ages. By HASTINGS RASHDALL, M.A., Fellow and Lecturer of Hertford College, Oxford. (Oxford: Clarendon Press. New York: Macmillan and Co. 1895. Two vols. in three, pp. xxvii, 562 ; xiv, 832.)

It has long been known that Mr. Rashdall was engaged in a careful study of early university history, and it is several years since the present book was first announced. The glimpses of his methods and conclusions, which he has occasionally allowed the public in his communications to periodicals like the *Academy*, have led us to expect a very high quality of work, and have made us disposed to grumble at the long delay in the appearance of the book.

It has been the more impatiently awaited because we have had no satisfactory history of the mediæval universities in English. Laurie's little book on the *Rise of the Universities*, beginning as it does with the beginning of our knowledge of classical education and coming down to the Renaissance, could not supply the place even if it were more accurate and critical than it is. The account of the general university movement in the first volume of Mullinger's *History of the University of Cambridge* is more interesting reading than the present book, both because Mr. Rashdall's treatment is drier and his style sometimes a trifle ponderous, and because he gives proportionately less attention to the sides of university development which are more generally interesting ; but Mullinger wrote before the more careful investigations of the last twenty years had been undertaken, and therefore hardly comes into comparison with this book. Maxwell Lyte's *History of the University of Oxford* appeared nearly fifteen years later, and after Denifle's volume had been published, but the slight references which it makes to the general movement are so scattered and confused as to be very unsatisfactory. There is nothing else in English which even makes pretension to represent the present opinions of scholars, or which should be used by any one who is seeking information on the subject, unless he is making a study of the whole literature.

The only books with which Mr. Rashdall's may fairly be compared are Denifle's *Die Entstehung der Universitäten des Mittelalters*, and Kaufmann's *Die Geschichte der Deutschen Universitäten*, of each of which only the first volume has appeared, Kaufmann's volume being the introduction

to his special subject and dealing exclusively with the general history of the early European universities. The author seems to fear, from the pains he has taken in his introduction to make the exact amount of his dependence clear, that the reader will suppose him to have followed the lead of Denifle too closely and with too little originality. But no reader who makes any careful comparison of the two books will be led to such a conclusion. He is in very close agreement with Denifle on all main points, but his treatment of the same topics shows everywhere independence of investigation and of judgment which leads to differing conclusions on many matters of detail, and the selection of varying phases of a subject by the two authors for fulness of treatment makes the books supplement one another in a very effective and interesting manner. It is a matter for sincere congratulation that we have at last in English a history of the early universities which is worthy of the highest rank among the world's books on the subject.

On all the chief questions which have arisen in the controversies between Denifle and Kaufmann, and between Denifle and Fournier, the author supports Denifle, with occasional agreement with the opposite side on less important points. In the great controversy between Denifle and Kaufmann on the necessity of a papal or imperial bull for the foundation of a recognized *studium generale*, he holds strongly with the former, but it must be said with rather strained principles of interpretation. Certainly the tendency of the dicta in the note on page 13 of Vol. I. would be to render it beforehand impossible to collect any evidence in support of Kaufmann's contention. The result of a comparison of these authors is the conclusion that Mr. Rashdall stands fully on a level with Denifle in the thoroughness of his investigation of the material at his command and in careful and sound criticism. He has not had the opportunity, nor has he attempted, to rival him in the discovery of new evidence, and if his book is perhaps less interesting than Kaufmann's, it is in this respect superior to Denifle's. The period covered is about a century longer than Denifle's, and includes the first movements of the Renaissance age. It thus links on fairly well with Paulsen's *Geschichte des Gelehrten Unterrichts*, of which a new edition is just now appearing. The gap between them is the Renaissance age, which is covered in a summary way in both books, though more fully in Paulsen. It must be noticed also that Paulsen is much more truly, as its title indicates, a history of higher education than is the present book.

Mr. Rashdall's work is chiefly a constitutional history, that is, it is mainly a history of the institutions and institutional life of the universities. Even those chapters devoted to the university studies bear this prevailing character. They dwell most fully on the development of the system of degrees, the formation of a professorial body, and the division of hours and topics. This is clearly a matter of choice with the author, for the introductory chapter on the Renaissance of the twelfth century, and the chapters on the relation of the separate universities to the general history, prove that if the author had chosen to write the history of higher education

during this period, instead of the constitutional history of the universities, the work would have been done with equal success.

It is perhaps hardly fair to criticise a book of this kind for its choice of subjects for detailed treatment, but the especial interest which the American university world of to-day feels in the subject of the curriculum of studies — the natural interest of a transitional and formative age — leads us at least to regret that an earlier age, transitional and formative in the same respects, is not forced to yield us whatever suggestion it may have to make. We should be glad to spare the brief sketches of the minor universities which make up the first part of the second volume, necessary as these are to a complete institutional history of the movement, if that space could have been given to a more full study of the changes in subject and method in university instruction. It may be added that the principle of classification is not evident by which the intellectual movement which leads to the formation of the university of Paris is treated as general introduction to the rise of universities, while the other side of this same movement, which leads to the university of Bologna, and which is earlier in date, is regarded as special introduction to that university only, though the author clearly recognizes that the source of the special interest in law was the same with that of the special interest in theology. The fact of the narrower influence of the university of Bologna in Europe hardly seems to justify this arrangement, since the question here is not one of results but of causes.

By far the largest space is given to the three "archetypal" universities, Bologna, Paris, and Oxford, even Salerno and Cambridge are very summarily treated, and, though three hundred pages of Vol. II., published as a separate part, are devoted to the other universities, the twenty pages given to Montpellier and to Prague are the most allowed to any of the seventy-two universities included. Edinburgh, which in some respects is of especial interest to American students of university history, falls outside the period of the book.

Mr. Rashdall's most valuable contribution to university history is his theory with regard to the origin of the university of Oxford, which he first published in 1888 in the London *Academy*, and which is here reproduced with no essential modification. This is that Oxford had its origin as a university proper in a migration from the university of Paris which took place very close to the year 1167. The positive evidence in support of this theory which Mr. Rashdall has been able to collect is very slight. It consists of these two facts, that in that year foreign students, who would be chiefly English, were ordered to depart from Paris, and that, at about the same time, English clerks residing abroad were ordered home in consequence of the quarrel of Henry II. with Thomas Becket. These facts are combined with evidence to show that soon after this date there is a school at Oxford with the characteristic marks of a *studium generale*, while before that time, though we have some evidence of single teachers of reputation at Oxford, we can find none of a university proper. Taken alone, this can hardly be said to prove the case, and it rests for its acceptance upon the gen-

eral fact, which Mr. Rashdall states here less strongly than in his *Academy* articles, that the early universities originated in one of two ways, either in connection with cathedral or collegiate churches, which is impossible at Oxford, or in a migration from some older university. If this is the rule, as it seems to be, then the evidence must be regarded as establishing the strong probability of the theory, but without this it can only be regarded as possible.

Incidental points of interest are numerous throughout the work. The non-religious origin and character of the universities is made evident. The general prevalence of the system of colleges through the whole of Europe is brought out more clearly than by Paulsen even, or by any previous writer, as well as the additional fact that it was the better instruction given which put the colleges in the place of the university at Oxford. It is amusing just now to find that Bologna was forced by the competition of other towns to pay its professors a regular salary, as had not been done before, in order to hold them. The antiquity of hazing and of college initiations is clearly proved, and ancient faculties evidently had some trouble with athletics; at least they applied the term "insolent game" to bat and ball and "indecent" to tennis, but the Yale student can plead a hoary antiquity, if he pleases, for his custom of playing with a soft ball within the college quadrangle.

Mr. Rashdall does not hesitate in passing to express his mind freely and with emphasis on current questions of university management, or upon the "vandalistic reforms" of the day. The closing section is a brief but very interesting passage upon the light which this period of university history throws upon the problems of the present. One sentence here deserves quotation. He says: "University institutions must undergo perpetual modification in the future as they have undergone perpetual modification in the past. But it is well in this, as in the wider fields of social, political, and religious organization, as far as possible to preserve historical continuity. We should avoid the wanton introduction of an historical solecism where an adhesion to ancient form and usage would be quite as easy, the wanton destruction of ancient institutions where a slight modification of them would serve as well, the wanton abandonment of ancient customs and traditions where they are neither harmful nor burdensome." The reading of the book leads, indeed, to a new confidence in the belief that the strength of any system of higher education is in the naturalness of its development and emphasizes the warning of experience against attempts to modify such a development artificially either by the transplanting of foreign institutions or by attempting to carry out educational theories which diverge too widely from the indigenous type.

GEORGE B. ADAMS.

Geschichte Spaniens von den frühesten Zeiten bis auf die Gegenwart.

Von Dr. GUSTAV DIERCKS. (Berlin: Siegfried Cronbach. 1895.

Two vols., pp. viii, 442; iv, 707.)

WITHIN the space of somewhat more than eleven hundred pages the author of these volumes has undertaken to present a compact account of

the historical development of Spain. His theme is the whole course of the events in which the dwellers on Spanish soil have been interested, from the settlements of the Phenicians to the birth of the present youthful king. The great divisions of the material here included, the domination of the Romans, the invasion of the Goths, the conquests of the Mohammedans, the rise of the Christian kingdoms, and the triumph and union of the Christians follow one another like the acts of a great drama; and in presenting a general view of the whole period one might be expected to allow his work to be more or less influenced by the dramatic character of his subject. In this case, however, there are few signs of such influence. The qualities of the book in question suggest that the writer had planned an abridged chronicle rather than a general history of Spain. If he had intended to construct a narrative which should leave on the mind a clear and truthful impression of the main features of social progress in Spain, it is legitimate to assume that he would have made a special effort to set forth the several parts of the picture in correct perspective. Other qualities are here discovered which indicate that whatever may have been planned, the work produced has many of the characteristics of a chronicle. Some of these are a very sparing use of general statements, an endless procession of facts stated in conventional form, and such an array of personal names as to make it impossible to see the social groups in action, by reason of the multitude of individuals. In spite of the attractiveness of the subject, the striking crises, the brilliant characters, and the strong lines of original development, our author appears to have found little inspiration in it. He turns to his undertaking as one takes up a wearisome trade, and indicates his attitude towards it in different parts of the preface; in three separate paragraphs he refers to the production of this book as a thankless task. After this the reader need not be surprised if he finds in it a certain lack of spirit, or a lack of those qualities which enable him to derive from it an easily remembered general view of the historical development of Spain. It may, however, be found to be useful in other ways. As an extended syllabus, covering all periods of Spanish history, it may be of service to the student entering upon an elaborate study of this subject. Yet for this purpose it lacks one of the requisites of a guide; it contains no account of the original sources, and no references to the works embodying the results of previous investigations. That the parts of this book devoted to the institutions and civilization of Spain are so limited in extent and superficial in character may, perhaps, be due to the fact that the author has for twenty years been collecting material for a thorough and special work on this subject (*Vorwort*, v), and has consequently not wished to waste his thunder on an outline with the scope and purpose of the present volumes.

The chapters which deal with the period of Mohammedan conquest and rule enter largely into the details of internal movement, but afford very few enlightening glimpses into the forms of culture and the methods of social action. If one is already familiar with the Mohammedan history

of Spain, these accounts of wars and insurrections, and the multitude of names of legitimate and illegitimate leaders, may suggest the flesh and blood which belong to the skeleton; but to one who has not this extensive knowledge the skeleton remains a skeleton, and suggests only its own painful presence. Reading the pages under the heading, "The Arabian Culture of Spain," does not impose the necessity of an extensive modification of this statement; for while they contain many important facts concerning the Mohammedan civilization of the period, these facts are not presented in such an organized form as to make a single strong general impression. The two hundred and fifty pages of the fourth book, embracing the reigns of the Hapsburg rulers, are much more satisfactory than other parts of the work, which deal with subjects less familiar to the ordinary students of European history. The investigations of previous writers have made the way through this period very plain, and the dependence of external events on certain conspicuous dominating ideas of the time has made easy a broad and general treatment of it. In this period of Spain's external expansion, her striking foreign relations attracted the attention of the world; and by the fact of her conspicuous position foreign historians have been led to give much space to the record of her affairs at this time. Yet it was a period of internal decline. In the two hundred years previous to the close of the seventeenth century, the country had lost nearly four millions of its inhabitants, leaving only six millions. The eighteenth century, on the other hand, was a period of recovery, in which the population of Spain rose from six millions to ten and a half millions. Although in this period the government was obliged to acknowledge the defeat of its ancient commercial policy with respect to the colonial possessions, yet the nation as a whole, however weak and inefficient some of the rulers may have been, grew in wealth and population, and passed through various stages of recuperation. It is this fact that entitles the affairs of Spain in the eighteenth century to a larger place in history than is likely to be given them by those who think of that century simply as a period of collapse after the culmination of the nation's greatness. The comparatively small number of pages devoted to it by Dr. Diercks seems to indicate an underestimate of its historical significance. The portion of the book which treats of the affairs of the present century will probably be read with more interest than any other, inasmuch as it is one of a few attempts to combine in a single brief account the various phases of Spanish life in an age of apparently hopeless confusion. From these chapters one may get a fairly clear view of the main movements in a very complicated game, and the impartiality of the writer prevents the view from being one-sided. In dealing with subjects in themselves complex, like the struggles of the Spanish political parties in the present century, Dr. Diercks is aided by a clear style; in fact, this is a conspicuous quality of his writing throughout the book.

BERNARD MOSES.

Geschichte der Päpste seit dem Ausgang des Mittelalters. Von LUDWIG PASTOR. III. Bd.: *Geschichte der Päpste im Zeitalter der Renaissance von der Wahl Innocenz' VIII. bis zum Tode Julius' II.* (Freiburg i. B.: Herder. 1895. Pp. lxxvii, 888.)

It is now nearly a decade since this work began to see the light: its first volume appeared in 1886, its second in 1889. Its author reckoned its extent at six volumes. In the first he surveyed the introductory period of Avignon, the Great Schism, and the Councils, from 1305 to 1447, when with Nicholas V. the Renaissance mounted the papal throne; and he covered also the pontificates of Nicholas and of Calixtus III. The second, beginning in 1458, was to complete the age of the Renaissance; the remaining four to be divided between "the three great events which, together with the Renaissance, dominate modern times" — "the great western *Kirchenspaltung*, the Catholic Restoration, and the modern Revolution." But already the second volume, overwhelmed by its materials, broke off at 1484. The third, which had hoped to reach the Lateran Council of 1517, fills a hundred pages more than its predecessors, yet gets no further than 1513. Professor Pastor, born in 1854, is still a young man, and no scholar will grudge him his multiplying pages; but it is clear that we have here to do with a life-work.

True, the last half-dozen years have seen other fruit of his pen: fresh editions, much revised, of his two earlier volumes, — the life of his master, Janssen, — two thick volumes of that master's unfinished *Geschichte des deutschen Volkes*, published from the deceased scholar's papers indeed, but completed and enriched by his pupil, who has now promised to carry the work to its end. But surely not even a German scholar, even had he not academic and editorial duties beside, can count on a normal activity so great. And Dr. Pastor makes no light work of historical research. Almost appalling is the list of authorities prefixed to this volume; yet its twenty-seven pages name only those repeatedly cited, leaving to the foot of his text the multitude which have but a single mention. It is amazing what an eye the author has for every out-of-the-way thesis, magazine article, book-review, in the field of his study. And the digestion of this vast literature is but the smaller half of his toil; it is the peculiar claim of his title-page that he writes "with use of the papal secret archives and of many other archives." No less than seventy-six such collections of manuscripts are enumerated as laid under tribute, several of them not before accessible to the trained historian. For Herr Pastor is the first to profit, in this most delicate field of research, by the new generosity with which the Roman see, under the present scholarly and far-sighted pontiff, has thrown open its records; and it is well known what a lively and helpful interest the ecclesiastical world, from His Holiness down, has taken in his work.

From such a zeal and such an equipment the world has a right to expect much; and it has seemed, on the whole, despite an occasional

caustic review from partisan quarters, not disappointed. This third volume has the qualities of its predecessors — the abundant erudition, the sane and self-reliant criticism, the quiet, sustained, and self-respecting narrative, but also the excessive caution, the half-apologetic flavor, the close adherence to the form of its authorities, the mosaic method by which, to the umbrage of his critics, its author makes even moderns furnish whole paragraphs of his text. Yet, as to this last, it were unfair not to add that he frankly disclaims the wish “to say better what has once been well said” — and, while he so loyally credits his loans, he may well be right.

A long introduction is devoted to “the moral-religious conditions and vicissitudes of Italy in the age of the Renaissance,” wherein the author again emphasizes his distinction of a Christian Renaissance from the pagan. The volume then falls naturally into the three books suggested by the pontificates of Innocent VIII., Alexander VI., and Julius II., the month-long reign of Pius III. making but a prefatory episode in the third. A sixty-page appendix of unpublished documents — some of them of exceeding interest, as *e.g.* the outline of Alexander VI.’s unfulfilled reform-project of 1497, whose full text we are later to hope for — closes the book.

It would be almost impertinent to mention the religious faith of a writer so scientific in spirit and method, did he not himself so put in the foreground his orthodox Catholicism. But, orthodox Catholic though he frankly is, he is no mere Ultramontane apologist. As his epigraph, he takes the words of Leo the Great, “*Petri dignitas etiam in indigno herede non deficit*”; and, while rejecting much of the scandal born of partisan hate, and making the popes of the Renaissance not monsters, but intelligible, and even likable, albeit erring, mortals, none has ever more relentlessly established the selfish cowardice of Innocent, the sensuality of Alexander, the violence of Julius, the unblushing simony of all three. As to the Borgia, he even dares to declare that “*jeder Rettungsversuch erscheint fortan als aussichtslos.*” Nor are these great sinners mere scapegoats: it is the merit, as it is the charm, of Pastor’s treatment, that even his heroes seem to need no background, and win our interest without cost to their humanity. It would be easy to point out places where his sympathies seem to have colored his interpretation, or to have blinded him to a more obvious meaning of facts; but he has neither overlooked nor concealed the facts themselves. He is a Catholic, and human; but he is an honest man.

It is in respect of this fairness that he least suggests that other great Catholic historian of our day, to whom he owes so much, — his master, Janssen. The influence of master on pupil is visible everywhere, and appears even in the outer form of their volumes. The learning of Janssen was not less great, his criticism not less keen, his style more lively and varied, his grouping more dramatic, his honesty of purpose doubtless not less real. But he was, through and through, a special pleader — in the selection of his materials, in their arrangement, in their use: the most consummate, perhaps because the most unconscious, of advocates. The

history of modern Germany can now never be read without him ; but it can never be safely read with him alone. His more happy pupil has not only the aim of fairness : he has what is rarer — the power.

If ever this seems to fail him, it is where the master's influence is most direct. Were he not fresh from editing that eighth volume of Janssen, where, with a casuistry almost equal to its learning, the guilt and significance of the witch-bull of Innocent VIII. are obscured, it may well be doubted whether Professor Pastor would have dismissed this episode with naught but apology. True, the importance of the bull has been often exaggerated, and oftener misunderstood. It may well be that its acceptance of the witch-superstitions was no dogmatic decision : that is a question for the theologians, and no historian but will rejoice that Catholics grant it no binding force. It were folly to suspect the easy-going pontiff of anything worse than that unscrupulous selfishness of which Herr Pastor himself convicts the "*grenzenlos schwache Mann*": the Dominicans were, perhaps, but receiving their return for that election whose corruption he so sternly exposes. But to one who knows how Pope Innocent's credulity, though it were no more, set the seal of supreme approval upon cruel delusions still hotly contested within the pale of the church herself, and what a part his bull played thenceforward, in the hands of persecutors, clerical and lay, shutting the mouths of brave churchmen who would else have faced them down, his historian's acquittal must bring a pained surprise.

But, to the English reader, there is another whose work even more than Janssen's presses for comparison with that of Pastor. Side by side with the Catholic historian, an eminent Anglican scholar has grappled with the same theme, and the volumes of Bishop Creighton have a few years the start. Those dealing with this period appeared in 1887, and devote to it somewhat less than half the space of the German volume. For grasp and lucidity, for insight and fairness, the English scholar has nothing to fear from the comparison ; and it should be to him matter of pride that the German, with all his fresh sources, has found so little to correct or to add. It is clear, on the other hand, how much he constantly owes to the English writer's suggestion. But, if Bishop Creighton's is the more statesmanly eye, the more picturesque pencil, the more terse and virile exposition, the more luminous consciousness of the general politics of Europe, Dr. Pastor's is yet the surer, the warmer, the subtler touch. And, though the Englishman draws more largely on the gossip of Infessura, of Burchard, of Paris de Grassis, while the more cautious German ignores many a good story which he cannot prove, the latter is often the less conservative of the two. Not a few charges questioned by Creighton are established by Pastor — instance that most damning count of the birth to Alexander VI. of a son during his papacy ; and, in general, the idea he gives us of these Renaissance popes, if more sympathetic, is less flattering. Savonarola both treat with much fulness and with singular concurrence — maintaining his honesty and his Catholic orthodoxy, rejecting his garbled confession, and laying the blame of his fate on his part in politics, and the inevitable

collision with the Roman curia ; and both, in preferring the documents to the biographers, fail to grasp the wholly altered worth given the latter by Villari's discovery of the earlier form and the contemporary sources of the so-called Burlamacchi.

That, in the search of truth, two scholars so severed by religious environment should have reached such agreement, in such a field, is one of the encouraging things of modern historical research ; and the generous policy of Pope Leo XIII. could hardly ask a better proof that the defenders of the church have nothing to fear. The real issue, so long obscured, is not one of fact, but of faith. It is to be regretted by students of church history that Professor Pastor has promised now to turn his attention to his continuation of Janssen. If, when he comes back to his own work, he can carry it through the yet more difficult period that next awaits him with the fairness of spirit and the unfailing courtesy which mark his volumes thus far, he will have earned as few others the gratitude of the Christian world.

GEORGE L. BURR.

Calendar of State Papers, Spanish. Vol. III., *Elizabeth (1580-1586)*. Edited by MARTIN A. S. HUME. (London : H.M. Stationery Office. 1896.)

THE material calendared in this volume is drawn mainly from the correspondence of Spanish agents in England, and other papers relating directly to English affairs, preserved in the Spanish Archives at Simancas. But a considerable number of the documents are from the Simancas papers removed to Paris by Napoleon during the Peninsular war. Students who have writhed under the inaccuracies of Spanish editors will be glad to know that Major Hume has carefully transcribed or collated all the documents in this volume, which includes all the Spanish State Papers touching the relations between England and Spain at a period when the history of either of these countries was the history of the world.

The opening pages usher us into a time of great anxiety for Elizabeth. Spanish dockyards were noisy with Philip's naval preparations. Both Spain and the Pope were giving the Irish rebels active support. Seminary priests and the other adherents of Mary Stuart were raising their heads all over England. The Queen's own popularity was suffering on account of the projected marriage with Alençon.

Orange, inflexible and unwavering, saw only one way to attract to the national cause the Catholic Flemings and Walloons ; namely, to call in Catholic Alençon to assume the sovereignty of the States. But Elizabeth was ready to sacrifice her last shilling and her last Englishman to prevent a French domination of Flanders. If Alençon went there at all, he must go under her patronage and with the support of the French Huguenots. Yet she durst not go so far as to drive the French king into the arms of Philip, and therefore beguiled Henry III. with the idea of his dynastic aggrandizement. A better understanding between England and France, and a re-

kindling of the smouldering troubles in Flanders, would best offset Philip's conquest of Portugal, which was now imminent. It was essential for Alençon to convince the Dutch that the Queen would certainly marry him and aid him in Flanders with all her power. He was dazzled by the brilliancy of the English match, and hoped against hope that she was in earnest. On the other hand, he durst not appear too easy in the matter of religion, for fear of alienating the Catholic Flemings and Walloons.

Such is the labyrinth out of which Major Hume's volume guides us. On page 4 of the *Calendar* is an important letter from Philip's ambassador in Paris, Vargas, which reveals a new element of intrigue against Elizabeth. Guise and Beaton had prevailed upon Mary Stuart "to place herself, her son, and her realm in the hands of his Catholic Majesty unreservedly." This meant the detachment of the Guises from French interests. Vargas jumped at the idea. "Such," he says, "is the present condition of England . . . that I really believe if so much as a cat moved, the whole affair would crumble down in three days." Philip answered that he would lovingly welcome the King of Scots to Spain and "treat him as his own son," not the happiest way of putting it so soon after Don Carlos's death. He also promised to help the Queen when the time arrived (p. 23). Mary Stuart did not realize that it was her own death which would make that time arrive. For it is doubtful whether Philip would ever have sent the Armada to place her, a Frenchwoman and a Guise, upon the throne of England. Her accession might easily have caused a union of England and France against Spain. Not till Philip could feel sure of conquering England for his own aggrandizement alone; not till Mary Stuart, having made him heir to her claims, had mounted the scaffold of Fotheringay, could he be whole-hearted in undertaking the invasion.

While Scottish Catholics, Guises, and Spaniards were intriguing to make Great Britain an appanage of Spain, humiliate France, and crush out Protestantism in the Low Countries, Mendoza, afterwards the greatest plotter of all, was warning Philip (p. 8) against the rapid growth of that sea power which was so soon to blast the hopes that had inspired, ever since Mary Stuart's flight to England, the great conspiracy of Catholic Europe. Drake's arrival at Plymouth with his rich spoils was almost simultaneous with the landing in Ireland of the Papal forces sent from Spain. During the rest of Mendoza's residence, Philip's aid to Elizabeth's rebels, and the attacks of the English upon Philip's ships and territory, were the ever-recurring subjects of complaint. The ambassador's relations to Queen and people grew daily more strained. While Drake was sunning himself in the royal favour, Mendoza was excluded from the Queen's presence, and had to vent his wrath in threats which he hoped would reach her ears. But Elizabeth and her ministers knew that Philip's hands were full in Portugal, and that he could not spare a man nor a ducat to hurt her.

Meanwhile, Alençon really frightened her by agreeing to all conditions for the match and asking her to set a day for the nuptials. She evaded him, however, and still the marriage negotiations went on. Philip naturally

feared they might lead to a formal alliance between England and France. For the adherents of Don Antonio, the Portuguese pretender, were trying to induce both Catherine de' Medici and Elizabeth to restore him to his throne; and about this time a party of Portuguese landed in England, amongst whom was a certain man "under the middle height, with a thin face, and very dark, his hair and beard somewhat grey, and his eyes green." This was Don Antonio himself. Mendoza complained, and Philip wrote to the Queen requesting his expulsion or surrender, but all to no purpose.

Meanwhile, Alençon, after his deplorable failure in Flanders, crossed to England, where Mendoza's swarming spies (more than one privy councillor was in his pay) brought him accurate information about Queen and lover. Through all the intricate and shifting phases of the negotiations, the Queen's object remained steadfast. In spite of kisses and rings, it was, as Mendoza told Philip, to avoid offending Alençon, and "to pledge him so deeply in the affairs of the Netherlands as to drive his brother into a rupture with your Majesty . . . while she keeps her hands free, and can stand by looking on at the war."

Mendoza met the Queen's attempts to secure an alliance with France against Spain by intriguing with the English and Scottish Catholics. He became the confidant of Mary Stuart, who wrote him (p. 215) that she was resolved "to follow as far as I can in the conduct of my affairs the wishes of my good brother, the King of Spain." She had already begged Philip for armed aid, and Mendoza strongly advised his master to send troops to Scotland. Granvella warmly seconded (p. 309) the ambassador's recommendation. When, however, Philip heard of the "Raid of Ruthven" and the flight of Lennox, he saw that the Scottish enterprise was hopeless for a time. Guise, too, thought immediate action in Scotland inadvisable, and informed Tassis that he was going to begin operations with the English Catholics. The Queen was first to be murdered, the country raised; Philip and the Pope must provide him at once with 100,000 crowns (pp. 464, 475, 479).

Elizabeth got wind of Guise's intrigues, and at once opened negotiations for the release of Mary Stuart. Mendoza was frightened. "Nothing could be more injurious to your Majesty's interests," he wrote (p. 465).

So soon as James extricated himself from the guardianship of the Scottish lords, Guise could hope for speedy success. His elaborate plan now provided for a co-operation of Spaniards and French with the English North Country and the Scottish Catholics of the borders. He averred that he undertook the enterprise only "to re-establish the Catholic religion in England, and to place the Queen of Scotland peacefully on the throne of England" (p. 806). And soon Guise performed a master-stroke, to which I would call especial attention. He persuaded the Scottish Catholic lords to offer Philip "one or two good ports in Scotland near the English border, to be used against the Queen of England" (p. 590). Mendoza hotly advocated the scheme in a remarkable state paper (p. 681) which he sent to the King. Too late Philip learned the meaning of the ambassador's

words: "In the event of the loss of a great fleet, the owner sees himself bereft at one blow." And certainly the lack of a good harbor was a chief element in the catastrophe of the Armada.

But Mary Stuart, who had for twenty years inspired the policy of Catholic Europe, knew (p. 663) that her remarkable career was over. And whether Philip admitted it to himself or no, he could but rejoice at her impending doom. It is possible that he might, as her heir, have brought himself to invade England and place her on the throne. His opportunity was good, but it wanted one thing to make it perfect, and that was the death of Mary, Queen of Scots.

For the special student of the sixteenth century, a recommendation of Major Hume's scholarly *Calendar* is superfluous. But I venture to say that all who love history will read with delight the brilliant essay which appears under the modest guise of an introduction to the present volume.

W. F. TILTON.

The Courtships of Queen Elizabeth. A History of the Various Negotiations for Her Marriage. By MARTIN A. S. HUME. (London: T. Fisher Unwin. 1896. Pp. 333.)

MAJOR HUME is well known as the scholarly editor of the *Calendar of Spanish State Papers (Elizabeth)*. His present work, a handsome volume, embellished with portraits and with designs from some of Queen Elizabeth's own books, is based on an overwhelming mass of original documents—French, English, Spanish, Venetian. While more than fulfilling in vivid picturesqueness the promise of its title, it is at the same time a masterly treatment of an unusually complicated period in the history of Europe. It is a book for all lovers of a well-told, romantic story, as well as for all students of the sixteenth century.

Until Elizabeth was fifty, there was no marriageable prince in Europe whom she had not considered as a possible consort. Though long after this age the vain old queen loved to simper at the lover's strain in which courtiers and foreign princes were cunning enough to address her, the present volume wisely deals only with those courtships which hide a deep political meaning, and reveal not only the queen's waywardness and fickleness as a woman, but also her astounding aptness in the political double-dealing of the time.

Philip the Second had been taught by his father to look upon marriage as the true way to add Great Britain to his empire. As Mary Tudor's husband he had been titular king, and was not ashamed to woo the daughter of Anne Boleyn, whose elevation to the throne had been such an outrage to the Spanish nation. Baffled in this suit, he continued to seek the aggrandizement of his house by attempting to procure Elizabeth's hand for one or another of the Hapsburg archdukes. But Elizabeth, pleased as she was personally by these flattering suggestions, knew that old Catholic Spain and youthful Protestant England could never be true allies. Her only disap-

pointment was that Philip proved too wary to give her, by a formal offer of his hand, the pleasure and the prestige of absolutely rejecting him.

With France the case was different. France and England, though natural rivals, were drawn together by a common enmity to the overwhelming power of Spain. The great aim of Elizabeth's foreign policy was therefore to foster the hostility of her two powerful rivals in order to keep her own hands free. Nothing could better promote this end than persistently to dangle before the eyes of Catharine de' Medici a match between Elizabeth and her son Alençon. Such a match was in reality impossible because the ambitious, crafty queen wished, not a dynastic alliance which might result in French supremacy over Great Britain, but simply that France should not take sides with Spain against herself. Yet Elizabeth was woman as well as queen, and when Alençon came to England she was nearly carried off her feet by her passion for the pockmarked little Frenchman, twenty years her junior. But her astute judgment always got the upper hand. Again and again it seemed she must marry him or repulse him finally, but she always found a loophole for escape. This royal game of hide-and-seek went on for years, watched by Europe with eager interest. Philip the Second was in great fear that it would result in the dreaded political alliance. Henry III. was anxious to get rid, by so brilliant a match, of his turbulent brother, who by ogling with the Huguenots threatened to divide France, and by his mad escapades in Flanders might force him into war with Spain. William of Orange hoped the match would enlist Elizabeth's whole strength in the Dutch struggle for independence. Elizabeth alone attained her immediate ends. Her statecraft, though now and again shaken by a surge of passion, kept her suitor at a distance without wholly estranging him. At his death Henry of Navarre became heir to the throne of France. The ultimate success of Protestantism under Elizabeth's lead was assured. There was no further need for Elizabeth to gain political ends by marriage with a great foreign prince. Yet she had not blushed to keep up the comedy even after her lover lay cold in death. "You have another son," she wrote Catharine de' Medici, "but I can find no other consolation than death, which I hope will soon enable me to rejoin him." It is impossible to believe that even Elizabeth's commanding mind could have mapped out beforehand the tortuous policy which she followed with such eminent success. But no monarch could have steered England through those troublous times, whose statecraft did not bear a close resemblance to the arts of the accomplished coquette.

W. F. TILTON.

The First Whig. By Sir GEORGE SITWELL, Bart. (Scarborough, England. Privately printed.)

It is a hopeful sign of the times when one sees a man occupying Sir George Sitwell's position finding time, in the midst of an active political career, to undertake original research in the field of English history. Favorably known already by his *Barons of Pulford*, one of our best recent

monographs on Norman genealogy, he here makes the parliamentary career of William Sacheverell a peg on which to hang his account of the origin of Whigs and Tories and of the events which led up to the Revolution of 1688. It is not, we learn, of deliberate design, but as the result of independent inquiry, that the author has found himself compelled to issue a counterblast to Macaulay and to condemn the Whigs, in their origin, along the whole line, as a party unconstitutional and even rebellious in its aims, unscrupulous and even criminal in practice. In a powerful and original introduction he contends that "we have to deal with a conspiracy against the truth of history as audacious, deliberate, and triumphant as that which consigned the Yorkist chronicles to the flames after the triumph of the House of Lancaster." The long spell of Whig ascendancy secured for the party legend an historical position so strong that we are still, he urges, beneath its influence and need to be rudely awakened from what our fathers have taught us.

The backbone of Sir George's indictment against the Whig party is found in the Popish Plot, an episode, no doubt, of which it would be difficult to speak too strongly. This effort to kindle to a flame the national horror of Rome he treats as characteristic of a struggle which, in his eyes, was not for liberty, but was throughout animated by intolerance and bigotry. In justification of this strong view he claims to judge the Puritans, whose political successors he holds the Whigs to have been, by their conduct when "in New England they had the opportunity of putting their principles into practice." To contrast, in their free development, the Stuart and the Puritan ideals, "it is to the New World rather than to the Old that we must turn." Sir George accordingly exalts the policy of Lord Baltimore and Penn, the friends and *protégés* of the first Charles and the second James, at the expense of Puritan bigotry in New England. The conclusion at which he aims throughout is that "the Whigs must be judged by their legislation against the Catholics in Ireland, England, and America; the Puritans by their attacks upon other religious sects in the New World; the Stuarts by James the Second's Declaration of Indulgence and his release of those who were in prison for conscience' sake."

That Macaulay's highly-colored prose epic should arouse vigorous retaliation is not merely natural, but just. The book before us, however, is no mere counterblast: it is based on original authorities and its facts cannot lightly be dismissed. The two main points which the author sets himself to establish are, firstly, that the Whig leaders were cognizant of, and in sympathy with every plot against the Crown, even where assassination was involved; secondly, that they organized, at great expense, the annual "Pope-burnings," in order to inflame the Protestantism of the people to their own profit. The former charge raises a question that meets us from time to time in history and is always one of difficulty and delicacy. It is only a few years since a political *cause célèbre* brought it before us once more. How far is the moderate wing of a political party responsible for the violent measures of its more extreme members? Sir George relies

largely on the evidence, wholly new, he assures us, that he has here brought to light concerning the "Green Ribbon Club," the headquarters of the party. He has carefully ascertained its membership and traced its history in these pages. On his other point, the annual Pope-burnings and the electioneering methods of the Whigs, he has similarly produced much curious information, deserving of careful study. If one were to offer a criticism on his history it would be perhaps, that however unlovely, and at times hypocritical, were the methods and professions of the Whigs, there was more excuse than he is willing to admit for men living only a century after the massacre of St. Bartholomew, and its approval by the Pope, for a blind terror of Rome and its ways that to us, after three times that interval has elapsed, is not easy to realize. One of the most definite lessons that history has to offer is that the Pope and his followers reaped as they had sown. If our forefathers looked on a Roman priest much as in the present day we should look on a man-eating tiger, it was not without a cause. For, as Sir George inadvertently admits, though it is of the Puritans that he speaks, "to those who accept the doctrines of exclusive salvation . . . persecution must ever be the first of religious duties."

William Sacheverell himself has virtually been discovered by the author. A remarkable parliamentary orator and a leader of the Country party, he seems to have taken the leading part in suggesting the Bill of Exclusion. An exquisite frontispiece gives us his portrait. Of the illustrations, some fifty in number and all taken from contemporary sources, it would be difficult to speak too highly. Indeed, the book, which is printed at the author's private press, is not merely of real value to the students of a fascinating period, but is a gem to be prized by collectors. One can only regret that, of necessity, its possession must be confined to few.

J. H. ROUND.

Municipal Government in Continental Europe. By ALBERT SHAW, Ph.D. (New York : The Century Co. 1895. Pp. xii, 505.)

IN a former volume Dr. Shaw undertook to explain to Americans the municipal system of Great Britain and what it accomplishes. He now undertakes a similar task with reference to the cities of Continental Europe. The thoroughness of his studies, made for the most part in close contact with the institutions under discussion, and his clear insight into their working, have led to the production of two volumes which place all students of municipal government under obligations to him.

The impression has prevailed in the United States that the rapid growth of urban population is a peculiarly American phenomenon — an impression which Dr. Shaw's books ought to correct. Urban development is the accompaniment of industrial development ; and the latter is a characteristic of Western civilization wherever it is found. From the fact that the industrial revolution took its rise and attained its highest development in the British Isles, it is a natural sequence that there the largest proportion of

urban population is to be found. Practically two-thirds of the Scottish people now live as townsfolk. Town life will soon prevail for three-fourths of the English people. Even France, the home of the peasant-proprietor, cannot escape the universal movement. In the five years from 1886 to 1891, there was an increase of 340,000 in the population of the fifty-six largest cities and towns, while the total increase of the whole population of France was only 125,000. The same phenomenon is to be noted in Germany, Belgium, and Holland, as well as in southern and southeastern Europe, where municipal activity is putting a new aspect on the historic cities of the Italian peninsula and the Danube valley.

One of the most notable chapters in the history of cities during the last half-century is concerned with the transformation of Paris and Vienna. These mediæval capitals were an intolerable anachronism. Through the activity of Baron Haussmann, Paris has become the typical modern city. Whatever the political follies of the Second Empire may have been, its existence is to some extent justified by the superb system of avenues and boulevards, parks and squares, public buildings and sewers, with which it has endowed the national capital. Vienna also has undergone a metamorphosis as striking as that of Paris. By the removal of the fortifications surrounding the capital at the accession of Francis Joseph in 1848, an area greater than that of the whole inner city was laid bare. Systematic plans for its improvement were devised, and their execution was intrusted to a commission appointed by the Emperor and accountable to the central government. The wisdom of this policy has long been acknowledged, and it is a sufficient answer to Dr. Shaw's criticism of Chicago for not improving her opportunity after the fire of 1871. "The town council," he says of Vienna, "could not have adopted so liberal a plan." This is much more true of the Chicago Board of Aldermen; and Chicago possessed no enlightened emperor to save her from her mistakes. Such far-reaching projects as those involved in the reconstruction of Paris and Vienna cannot be looked for in America until more efficient means of municipal administration prevail.

The municipal system of France grew out of the changes inaugurated by the Revolution. When the instrument since known as the Constitution of 1791 was in process of formation, the first part of it to be worked out minutely was the regulations for the creation of new municipalities and local self-government. The passion for abstract political truths, the desire for simplicity and uniformity of administration, which characterized the members of the Constituent Assembly, are clearly reflected in the municipal system of 1789. The ancient provinces, the very names of which were the embodiment of centuries of French history, were abolished, and a geometrical system of departments, districts, cantons, and communes took their place. The system had two great faults. It was too elaborate for the small towns, and the people had not yet learned the lesson of self-government sufficiently to operate it with success. But the series of departments on which it was based remains to this day.

As the political ideas of the government at Paris have changed, the

municipal system has been correspondingly modified. By 1795, a tendency toward centralization had set in, and its effect on local government is seen in the substitution of a *Commissaire*, appointed by the Directory, for the *Syndic Procureur*, who was elected by the people of the department. But this was only the beginning. After 1800, "there existed in France no authority that could repair a village bridge, or light the streets of a town, but such as owed its appointment to the central government."¹ The prefect, an old officer under a new name, now made his appearance. The old district of the system of 1789 was revived under the name of *arrondissement*. After the Revolution of 1848, confidence in the principle of municipal home-rule dominated legislation. But with the establishment of the Second Empire, the administrative machinery of the First Napoleon was revived. The influence of the Emperor was exerted for municipal progress, but its educative effect upon citizenship was bad. When the Third Republic was established, conservative influences prevailed to such an extent that the government was unwilling to relinquish all control of municipal affairs. But the experience of the years immediately following showed this conservative timidity to have been ill-founded, and the central government came to exercise only a nominal control. In 1884, the great municipal code was enacted and every vestige of earlier legislation was repealed. The code consists of 168 articles, the first of which says, "The municipal corps of each commune shall be composed of the municipal council, the mayor, and one or more adjuncts." The order in which these officers are designated is significant of their relative position in the French administrative system. But Paris is still actively governed, as under Louis Napoleon, by the prefect of the Seine and the prefect of police, appointed by the general government and amenable to the Minister of the Interior.

As a whole, the German system does not differ radically from the French. Its framework is not marked by the symmetry and uniformity which characterize the French system, but it accomplishes practically the same ends. The governmental reforms of Stein, Hardenberg, and their successors were not accompanied by a complete change of municipal machinery as was the case in France ; but the existing institutions were made to serve new purposes and satisfy the requirements of new conditions. The result is an admirable adaptation of means to ends. The central government maintains a more direct control of the police in Germany than in France, and municipal suffrage is more restricted. The three-class system of voting prevails, so that property interests are largely represented in the city councils.

The German city is pre-eminently a social organism. At almost every point the life of the citizen is brought into contact with the city. There is no limit to the functions that it undertakes. A bare list of its enterprises is bewildering in its comprehensiveness. In their methods of conducting municipal business, and especially in dealing with corporations operating public franchises, the Germans have set an example worthy to be followed. The contrast between German and American methods is well stated thus :

¹ Fyffe, *Modern Europe*, I. 208.

"In studying these German contracts one is always impressed with a sense of the first-class legal, financial, and technical ability that the city is able to command ; while American contracts always impress one with the unlimited astuteness and ability of the gentlemen representing the private corporations."

Dr. Shaw has given us the most complete account of municipal government in Europe that has yet appeared. He has not only described the French and German systems, but has also devoted chapters to the municipalities of Belgium, Holland, Italy, and Spain. His work is marked throughout by the lucid arrangement and careful scholarship for which he is so well known. A few errors, however, may be noted. The number of departments into which France was divided in 1789 was eighty-three, not eighty-nine. In his treatment of the cantonal divisions of 1795, the author conveys the impression that the cantons were new creations of the legislation of that year. This, however, is not the case. The cantons were a part of the legislation of 1789-1790. But there they were merely electoral districts of little importance. What the constitution of 1795 did for them was to increase their importance by conferring upon them the functions of the districts which were abolished. But the most serious deficiency of this volume — and the same may be said of its predecessor — is the total absence of bibliographical data. Perhaps in subsequent editions Dr. Shaw will see fit to remedy this defect.

CARL EVANS BOYD.

Economic History of Virginia in the Seventeenth Century. An Inquiry into the Material Condition of the People, based upon Original and Contemporaneous Records. By PHILIP ALEXANDER BRUCE. (New York and London: Macmillan and Co. 1896. Two vols., pp. xix, 634, 647.)

A LARGE portion of this work relates to the economic history of Virginia in the seventeenth century, in which particular field it is, I believe, unique and its value unquestioned. About one-third of the book is devoted to the period of the Virginia Companies (1606-1624). This was an important period, especially after 1609 ; but beginnings are always interesting, and the comparatively large space given to this brief period should not be criticised. Mr. Bruce regards Captain John Smith as "the real founder of the community," and much of this space is given up, directly or indirectly, to supporting this view ; that is, to taking Captain Smith's side of the issue which it pleased him and his writers to make with the founders of Virginia. So many of the author's ideas have been derived from the misleading statements in Smith's works, which are unfair criticisms of the managers of the first colony of Virginia (1606-1609) and of the Virginia Company of London from 1609 to 1624, that Mr. Bruce (whose honesty of purpose and of opinion I do not question) has failed to convey a fair idea of that company, its purposes and accomplishments, or to deal fairly with those who really succeeded in planting and estab-

lishing the colony. Hence, many of the references during the period 1606-1624 must be received with caution; for there is ample room for an honest difference of opinion, at least, as to many of them, and some of them are certainly errors. But after Mr. Bruce has cleared these meshes I find little room for adverse criticism.

The frontispiece to Vol. I. is a reduced fac-simile of Hermann's map of Virginia and Maryland. The work is outlined in a preface of five pages. The long list of authorities from which the volumes have been compiled occupies the same number of pages.

The work itself is divided into several subdivisions, namely:—I. "Reasons for the Colonization of Virginia." One chapter of 70 pages is given to this division. A good deal of this chapter is devoted to Smith, and there may be differences of opinion as to other views expressed therein; but in order to find out correct history it is necessary to consider all sides, and however I may differ with Mr. Bruce on certain points, I do not hesitate to say that the whole of his work deserves to be carefully read by all historians. II. "Aboriginal Virginia." To this two chapters are given, one on its physical character (65 pages), the other, on Indian economy (45 pages). Each of these subjects is here more fully treated than in any other work; even to give the names and titles of the very numerous items considered or mentioned in the various subdivisions would require more space than I have at my command. III. "Agricultural Development"; four chapters: 1607-1624 (87 pages); 1624-1650 (69 pages); 1650-1685 (79 pages); and 1685-1700 (63 pages). This is an especially interesting and important subdivision, and Mr. Bruce is especially well equipped for treating it fully. The most important item is tobacco, and the history of its development is given from the beginning, as well as of the numerous other things especially pertaining to agriculture—wheat, corn, implements, stock, farmers, tenants, wine, silk, land, its cultivation, fences, cotton, flax, hemp, free trade, freights, prices, duties, highways, bridges, ferries, overseers, etc., etc. IV. "Acquisition of Title to Land—the Patent." One chapter of 85 pages gives a full history of the subject in all of its phases, beginning with the Indians, and ending with the recording of conveyances and acknowledgment of deeds. V. "System of Labor." This is again divided into "The Servant" and "The Slave." To the first are given two chapters (119 pages), to the second one chapter (74 pages). Both classes are exhaustively treated. The "servants" were generally white, though some were Indians and negroes. The "slaves" were generally negroes, but some of them were Indians. This subject is in line with some of Mr. Bruce's previous literary labors, and his views thereof are of peculiar interest. He explains the meaning of the words "servant" and "transportation"; the condition of the English laborer at this time, his wages and opportunities; the indentures of servants, their terms of service, etc.; and similarly of the slave. Of course, many of Mr. Bruce's statements may be questioned; but this is really the fault of his authorities rather than of himself; his own untram-

melled views are generally broad enough to overshadow adverse criticism. VI. "Domestic Economy of the Planter" is well considered in two chapters (111 pages). Bricks are among the numerous things treated of. That they were made here from the first is certain, that they were ever imported is doubtful; but the story of the house built with brick imported from England is as dear to the minds of many as Smith's story is to the minds of others. Neither is at all creditable, but old traditions and ideas are almost ineradicable. An old friend was telling me some years ago of "a house built [by one of his ancestors] before the Revolution in Amherst County, Virginia, of bricks imported from England." I showed him that the price for making brick at the time in that county was three shillings (Virginia money) per thousand, and that they would have cost to buy, import, and haul up from tide-water, about a penny apiece; but I did not shake his faith in the old story, although it amounted to believing that his ancestor was devoid of common understanding. VII. The relative value of estates is briefly but quite exhaustively treated. Manufactured supplies, foreign and domestic, are fully considered from the beginning. The dearth in the colony immediately following the revocation of the charter in England is shown. The imports, trade, and shipping, the exports, manufactures, craftsmen, etc., are treated. Mr. Bruce then considers the monetary system and towns, covering the ground in each instance quite completely. He then devotes 14 pages to his "conclusion," and ends his valuable work with an excellent comprehensive index.

In reviewing these volumes I have frequently felt like giving extracts from them here and there, but extracts really cannot convey a fair idea of the whole. To obtain such an idea of a book which goes into so many details, it is peculiarly necessary to obtain the book itself, and read it carefully. The value of the work in its particular field, especially for the period from 1625 to 1700, can scarcely be overestimated. At the same time I must say that to my mind it is incomplete as it is. The economic history of Virginia in the seventeenth century is interesting and valuable; but its character is introductory, and in order to give it completeness, Mr. Bruce should continue it down at least to the end of the colonial era, if not to the beginning of "our late unpleasantness." It must be hoped that he will.

It is of the first importance in reviewing a work to give due consideration to the various evidence—its impartiality and accuracy, or the contrary—on which the work has been based; but in this instance such a mass of evidence of such various kinds has been made use of, that it can only be done in a general way. No evidence of a contentious character can be relied on safely; controversy is not history. Contemporary publications are apt to have been published for some other motive than stating the unvarnished facts fully and fairly on all points. It is not in the nature of man to write contemporary history; and in the case of an action surrounded by difficulties of almost all sorts, hampered by critics and dissensions within and enemies without, it is an impossibility. "Time, the nurse

and breeder of all good," has to smooth out partisan influences of all sorts. Such contemporary histories have always been obliged to yield to the authentic records, to the truth brought to light by time. Smith's history of Virginia, on which so much of Mr. Bruce's work has been based, is not an exception to the rule. It pretends to show that the factions and misfortunes in Virginia (1607-1609) were not owing to the form of government designed by James I., as had been claimed by the managers, but to their own bad management. It contends that James I. ought not to have granted the Virginia Company of London its charters in the first instance. It criticises that company, and justifies the annulling of the charters in 1624. It opposes, ignores, or traduces every idea which made the planting of Virginia the genesis of the United States; catering to James I., and to those who wished his royal government to be resumed in the colony, and the popular government of the Virginia Company abolished. This was in line with the opinion of many at the time, and must then have given Smith's position great strength. Save for the fact that Charles I., who came to the throne so soon after, was a friend to Sir Edwin Sandys, it is doubtful if any of the free institutions originated under the company would have been permitted to survive, as it is known that James I. was bitterly opposed to Sir Edwin Sandys and his idea of civil and religious liberty in the New World. Of course there are truths in Smith's book, but its motive is personal and controversial rather than historical, and no one can write the true history of the movement without impeaching Smith repeatedly. (Mr. Bruce has done this several times.) No event in modern history has been more ungenerously considered than the beginning of this nation; no men more unjustly treated in our histories than those who really accomplished that task; and no book is more to blame for this than Smith's history of Virginia. The fact that so many of the official records of Virginia were for so long unavailable caused a greater reliance on partial evidence than it deserved. The situation has tended to make early Virginian history an especially difficult and disagreeable field. The student has been hindered, rather than encouraged, in searching after the truth which is essential to history. Mr. Bruce has done little towards ameliorating these particular conditions for the earliest period. He is sometimes disposed to contend for old opinions at all hazards; but all things considered, he has covered the ground as fairly as he could well do with the evidences before him. And when he confines himself strictly to his subject — the economic history of Virginia — his work is without an equal.

ALEXANDER BROWN.

The Pilgrim Fathers of New England and their Puritan Successors. By JOHN BROWN, D.D. (New York, Chicago, and Toronto: Fleming H. Revell Company. 1895. Pp. v, 368.)

THE author of this volume is favorably known in historical literature by his elaborate memoir of Bunyan, published in 1885; and although the

minute local knowledge which contributed so much to that work is wanting in the present case, there are other good grounds of commendation.

Of the twelve chapters in the book, three trace the origin and the English life of the Pilgrims, and are illustrated with attractive views from original drawings; three treat more briefly of the Dutch life of the same company; three sketch more briefly still the first seven years in Plymouth; and the concluding section summarizes the later immigrations to New England and its entire colonial history.

The author has a clear, readable style, and is in full sympathy with his subject; he has taken pains to gather incidental illustrations from the state papers and other manuscript sources in England; there was room for a volume covering this ground, especially one designed (as this is primarily) for English rather than American readers; and the result deserves to win popular approval. The specialist, however, should be warned not to expect to gain anything of importance that is new to him from Dr. Brown's narrative. The English and in a less degree the Dutch life of the Pilgrims, especially as reflected in Bradford's History, is skilfully portrayed, with such freshness as to make a new impression on the reader, though the details are familiar; the cisatlantic part of the story is naturally less fresh and less successful. The author makes perhaps too much of the supposed evidence for Congregationalism in England before Robert Browne, but otherwise his historical narrative is faithful to the facts as known. Taking Bradford's History as his text for the Leyden residence of the Pilgrims, he has no temptation to magnify the Dutch influence on their life and polity; for Bradford, an observer not wanting in keenness, is plainly unconscious—writing years afterwards—of such influence beyond the narrowest limits.

The account of Scrooby and Austerfield and of the beginnings of the Pilgrim Church, and the analysis of Robinson's writings, interest Dr. Brown most and show him at his best; but there is not a dull chapter in the book. It is curious that, although the story of Robinson's Farewell Address to the Mayflower Company is fully given from Winslow's notes, no comment is made on the most notable sentence of that report (that "the Lord had more truth and light yet to break forth out of His holy word"), the obvious meaning of which has been so stoutly denied; but this is an instance of the general truth that the book avoids points of controversy, and is constructed throughout on the most conservative lines.

The Pioneers of New France in New England, with Contemporary Letters and Documents. By JAMES PHINNEY BAXTER. (Albany: Joel Munsell's Sons. 1894. Pp. 450.)

UNDER this somewhat misleading title, Mr. Baxter deals with the relations of Massachusetts and the Indians in and about Norridgewock, in what is now the state of Maine. The central figure in his monograph is Sebastien Rale, or Ralé, as he prints the name in opposition to all the best authorities.

Francis, Palfrey, and Winsor call the Jesuit Rasle; Shea, in the text of Charlevoix, has Rasle, and in his foot-notes, Rale, which is the form adopted by Parkman, whose opinion on any question relating to the French in North America must be regarded as little, if in any degree, less than conclusive. Referring to this matter, Parkman says that the name was so written by the missionary himself, "in an autograph letter of 18 Nov., 1712," and adds, "It is also spelled Rasle, Rasles, Ralle, and very incorrectly Rallé, or Rallee." In view of this general concurrence of the writers in English of our own time, and of the adoption of the form Rale by the highest French authority, the *Nouvelle Biographie Générale*, Mr. Baxter's reasons for adopting an unfamiliar form do not appear satisfactory.

It was not to be expected that he would be able to discover any important facts which had escaped the eager eyes of his diligent predecessors, or to set in a new light the transactions of the gloomy and bloody period of which he writes; but he has carefully studied the original sources of information, and has brought together a large mass of documentary material hitherto not easily accessible. It is in the latter service that the chief value of his labors is found. Some of these documents are inserted in the text, as the letters from Rale to his nephew and his brother; and others are given in the appendix, which extends to nearly one hundred and thirty pages. Of the documents there given the most important is a collection preserved in the Public Record Office in London, under the general designation of "Thirty-one Papers produced by Mr. Dummer, in Proof of the Right of the Crown of Great Britain to the Lands between New England and Nova Scotia, and of Several Depredations Committed by the French and Indians between 1720 and June, 1725." Among the documents from this source are a report of the conference with the Kennebec Indians in November, 1720; the correspondence between Vaudreuil and Dummer in 1723 and 1724; the journal of the Commissioners to Canada in 1725, and other papers connected with their mission, including a narrative of Samuel Jordan, the Indian interpreter. There are also in the appendix other illustrative documents from various sources, of which the most important are Hamilton's account of his captivity among the Indians and in Canada, and the Latin text of Joseph Baxter's two letters to Rale. It is to be regretted that there is not, for the convenience of students, an analytical table of contents to the monograph, and that there is not a complete list of the documents in the appendix. There is, however, a very full index, but it is poorly arranged, and is sometimes inaccurate and misleading. The proof sheets have not been carefully corrected; and both in the body of the work and in the index there are a considerable number of typographical errors, while there are repeated instances of the careless use or omission of the marks of quotation. It is not easy to determine whether the author or the printer is responsible for these errors and defects, but probably both are at fault.

In describing the events and transactions with which he has to deal, Mr. Baxter looks at them all from the extreme point of view of the English

settlers and the Massachusetts authorities, to whom he thinks justice has not been done by some recent writers. As respects the conflicting claims of the French and the English in regard to the imperfectly defined boundary of Acadia, it cannot, we think, be successfully denied that the English were right, and that after the Treaty of Utrecht the French were trespassers. But the case in regard to the Indian villages is quite different. Here civilization and semi-civilization were brought face to face; an agricultural and trading people and tribes of improvident hunters and fishers confronted each other. Their ideas of property in land were impossible to be reconciled. To the English settler separate and exclusive ownership, except as regards the common lands for pasturage, was a necessity. The value of his property was destroyed if savage hunters and their dogs could pursue the game across fields and meadows. As the tide of civilization advanced from the coast and the river-banks, the hunters were naturally forced backward to the denser woods and less frequented streams where game and the fur-bearing animals sought shelter. This was something which the Indian had not foreseen. He had no idea of individual ownership of hunting grounds; and it may well be doubted whether any Indian ever had an exclusive right to the land which he was supposed to convey by a strange hieroglyphic on a parchment deed which he could not read or understand. Here was an inexhaustible source of conflict and war.

Added to this was the antagonism of Romanism and Protestantism. The French missionaries had been signally successful in impressing the savage imagination, and they cherished their converts as spiritual children whom they had redeemed from destruction. On the other hand to the average English settler a Jesuit missionary was little better than an emissary from the Evil One. Rale and his associates were Frenchmen eager to hold territory which they regarded as rightfully belonging to France, and Jesuits determined that their converts should not be drawn away from the true faith. In both French and English, national animosities and religious bigotry found a congenial resting-place. An irrepressible conflict was the inevitable result, one in which both parties were almost certain to go to extremes which the calmer judgment of a later generation must condemn. It is not enough for an historian, in dealing with the conflicts of a stormy past, to put himself in the place of one of the contending parties or nations. He should remember that there are always two sides, at least, to every question, and that there are as many points of view. He should not fail to make large allowance for the spirit of the age about which he is writing; but he should not fail to recognize every departure of the actors from their own avowed principles, and to remember also that there are underlying principles which are the common standard for every civilized age. To these considerations Mr. Baxter has not, we think, given sufficient weight. His narrative is full and exact. He has added nothing and has suppressed nothing; but he has felt too strongly to do entire justice to the losing side. We rejoice with him that the French were driven out of Maine, and that the Indian frontier was steadily pushed back; but we

would at the same time frankly recognize the patriotic and religious scruples of the French and the lingering regret with which the Indians retreated from their old hunting grounds.

CHARLES C. SMITH.

Le Comte de Frontenac. Étude sur le Canada Français à la Fin du XVII^e Siècle. Par HENRI LORIN, ancien élève de l'École Normale Supérieure, Docteur ès Lettres. (Paris: Armand Colin et Cie. 1895. Pp. xiv, 502.)

HITHERTO the history of French Canada has attracted very little attention in France. Only two of Parkman's works have been translated into French, and these two — *The Pioneers of France in the New World* and *The Jesuits in North America* — are precisely those of which the interest is least confined to America. M. Lorin's work is welcome as an adequate history of a Canadian epoch by a Frenchman.

Frontenac ruled in Canada at a critical time. The country had the twofold character of a trading-post and of a mission until 1663, when it was made a royal province with a system of government upon the model of one of the French *pays d'élection*. A multiplicity of problems faced Frontenac when he went out in 1672. He was to adjust the relations between the civil and the ecclesiastical power, to make alliances with the Indians, to check the English, and to extend French rule into the far interior. Frontenac showed great tact in dealing with the Indians. His dignified reserve led them to think a few words with him a great honor. He was at his best when, as representing Louis XIV., he talked like a father to them and to the *habitans*, and both of these classes honored him to the last. He was at his worst when his arrogant and quarrelsome spirit led him to take extreme measures to assert his dignity.

M. Lorin thinks that Frontenac was in the right in his conflict with ecclesiastical authority. The dispute vitally concerned French policy in America. The Jesuits opposed the traffic in brandy, for it was destroying the Indians, who had learned to nerve themselves with it for their murderous combats, and would sell their wives and children to get it. Behind this attempt to save the Indians was the further plan to isolate them from contact with Europeans. The Jesuit, anxious to retain sole control over the Indians, discouraged efforts to teach them French. Frontenac on the other hand wished to form settlements in which the two races should mingle freely. Colbert had a vast scheme of French empire in America. The French were the first race to penetrate to the interior, and trading-posts were to follow in the wake of discovery. The secular view of the brandy question was that the Indians were bound to get it and to give what furs they had for it. So extended was its use that it was actually at one time the medium of exchange, and the defenders of the trade had a theological retort for the missionaries. It was better that the Indians should get brandy alone from the French than both brandy and heresy from the English (p. 431)!

Few will doubt that in wishing to save the Indians the missionaries were sincere. M. Lorin says that their very unworldliness made them bad colonists. Living for another world, they asserted a spiritual rigor too severe for human nature in this. From France were coming her most ardent and devoted spirits. Saint-Vallier, the second bishop of Quebec, refused the episcopal chair of Gregory of Tours to go to Canada; but in Canada he showed how true is the saying that the wise must rectify the mistakes of the good. One of the seminary priests, with the bishop in mind, wrote: "It would be much better to give bishoprics to those whose piety is less apparent and good sense greater, for these indiscreet devotees turn everything upside down" (p. 439). Frontenac's keen political sense brought him into ceaseless conflict with the plans of the missionaries even when no other grounds for quarrel existed. At every important station was a Jesuit opposed in principle to Frontenac's schemes for trade and colonization. The governor decreed that even priests must secure passports from him. He checked the *coureurs de bois*, and tried to hold all the strings of policy in his own hands. In vain the court ruled that the missionaries might go whither they would.

The first period of conflict ended with Frontenac's recall in 1682. Seven years under his successors, La Barre and Denonville, brought Indian war and decline in the colony. Frontenac's best justification is his return to Canada in 1689, when seventy years old, as the only man who could save the situation. Colbert was dead, but Frontenac resumed the old three-fold plan of conciliating the Indians, extending the posts, and attacking the English. Louis XIV. now, however, cared little for Canada in face of the danger from William III. of England. The colony was neglected. There was no land-route connecting the French in Acadia with Quebec, and the English were strong on the sea. They failed, however, before Quebec; and the French triumphed on Hudson Bay, but gained nothing, for the Peace of Ryswick (1697) restored the *status quo ante bellum*. Frontenac's last days were darkened by this peace and by the order to abandon the trading-posts in the interior. He died still refusing to obey the order (1698).

The archives at Paris were known to Parkman only by extracts and reports. M. Lorin has searched them diligently, and corrects Parkman occasionally. The Foreign Office and the Ministry of Marine, as well as the Colonial Archives, are put under contribution. M. Lorin states that the *Canadian Archives* furnish the only satisfactory calendar of the French colonial archives. His attention has been directed too exclusively to French writers, for apparently he does not know even Kingsford's *History of Canada*. His knowledge of English is limited or he would not quote from "*un recueil historique entièrement rédigé par des dames américaines*" (Chicago, 1893) the following tribute to Tonty as notable:

"With tears of blood and anguish
He baptized our valley home,
And lives in song and story
With La Salle,—our nation's own."

One naturally compares M. Lorin with Parkman. The French writer says that Parkman could not forget that he was a Bostonian (p. viii), and that he passes too lightly over the faults of his countrymen (cf. pp. 358 and 385). Parkman's criticism of French rule undoubtedly proceeds with too serene a confidence that the English had found the better way. His knowledge of the political situation in Europe was very superficial, and his anxiety to be picturesque caused him to neglect the duller but equally important aspects of Canadian life. Upon these points M. Lorin is easily superior, but his book, though clear and well arranged, lacks Parkman's charm. Parkman excelled in local knowledge; M. Lorin, apparently, has not visited Canada. He makes few mistakes, however. An amiable racial prejudice leads him to say that the French is "la race d'avenir de l'Amérique du Nord" (p. vii), and he is mistaken in thinking that Frontenac's name is not on the map of Canada, for it is that of an important county. The Jesuits Jogues, Lalemant, Brébeuf, etc., were not "les premiers apôtres des sauvages," for the Recollet Le Jeune was in the Huron country in 1615.

GEO. M. WRONG.

Sketches of Printers and Printing in Colonial New York. By CHARLES R. HILDEBURN. (New York: Dodd, Mead and Co. 1895. Pp. 189, and 28 fac-simile title-pages.)

FROM the wealth of material which Mr. Hildeburn has gathered for his proposed list of the issues of the New York press, 1693-1784, he has sifted a history of each printer of New York. It is almost needless to say that the work is thorough and accurate, for Mr. Hildeburn's previous books have proved his ability to be both, and though many of his statements contradict those hitherto accepted as fact, a testing of each moot point has only served to prove the author's carefulness. Of necessity such a work throws a good deal of new light on the bibliography and literature of the colonial period; and that of New York was peculiarly rich in political literature, thus being markedly in contrast to Boston and Philadelphia, in which theological tracts so largely predominated. Indeed the series of pamphlets issued by Zenger between 1734 and 1738, and by Rivington in 1774-1775, are probably the two ablest series of political arguments issued in this country before the Revolution, embracing as they did writings of Chief Justice Morris, James Alexander, and William Smith, in the first controversy; and works by A. Hamilton, T. B. Chandler, Myles Cooper, Isaac Wilkins, C. Lee, S. Seabury, and others (besides the reprinting of many English and colonial tracts bearing on the rising revolution), in the second series. And in this connection it is proper to note that practically the whole of the Tory literature issued after the war was truly begun, was printed in New York.

A few of the most curious facts gleaned by the author are worth special mention. After a careful study of the series of New York laws printed by Bradford between 1693 and 1726, he states, "it can be said that no two

copies of the same date are ever exactly alike after page 72." Scarcely less curious is an excerpt from a charge, in which, speaking of witchcraft, Judge Morris asserted that "we are so far West as to know it only in name." Perhaps the day will come when some psychologist will work out a theory as to why New England and the Southern colonies suffered from this delusion and New York escaped. One little fact revealed here that tells against the Thomas story as to the printing of the Bible by Kneeland and Green, is that Bradford issued the Book of Common Prayer in 1710, with his imprint on the title, and as this was a "monopoly" book as well as the Bible, it is obvious that a fictitious imprint for the latter was hardly necessary. Two song-books, neither of which Mr. Hildeburn has been able to find,—*The New American Mock Bird* (1761), and *Songs, Naval and Military* (1779), the latter compiled by Rivington—are most tantalizing gaps to any one interested in early American anthology. The Parker and Weyman edition of the *Memorial containing a Summary View of Facts* (Washington's Journal, etc.) is noted, but the author does not state whether the New York or the Philadelphia issue is the *editio princeps*, and a recent discovery makes the question one of interest. In the preface, the French original is said to have been captured in a prize and carried into New York, which implies that it was first printed there. But to the contrary, the reviewer has found two notes in Washington's ledger, in which he enters under 1757: "Feb. 24. By money subscrib'd for Publishing in English the French acc't. of the Disturbances upon the Ohio 5/9," and, "Mar. 17, By cash to a French Translator £1.1.6." These entries certainly suggest a close connection between the issue of the book and Washington, and imply that it was not first issued in New York. It is a curious fact to find Washington subscribing to a book whose chief purpose was to prove him an "assassin." An even more interesting fact, printed here for the first time, solves what has been a great source of curiosity. The few who have been fortunate possessors of copies of *Military Collections and Remarks*, as printed by Gaine in 1777, and published by "Major Donkin," have puzzled not a little over page 190 (chapter on Arrows), from which, in every copy, a note has been scissored out. At last Mr. Hildeburn has found a single copy not thus mutilated, and reprints the suppressed passage, as follows: "Dip arrows in matter of small pox, and twang them at the American rebels, in order to inoculate them. This would sooner disband these stubborn, ignorant, enthusiastic savages, than any other compulsive measures. Such is their dread and fear of that disorder!" The text certainly gains interest when we know that the man who penned it was later a general in the English army.

The title of one book here reproduced in fac-simile is "The Death of Abel . . . Printed by S. Campbell . . . 1764." In connection with this, Mr. Hildeburn writes: "I have been unable to ascertain anything concerning him [Campbell] or that he printed anything else." The probabilities seem to us very much in favor of a typographical error in the imprint, the figure 6 being merely a 9 reversed. Samuel Campbell was printing in New

York in 1794, and the type-metal frontispiece has the quality that belongs to this later period. We wish Mr. Hildeburn had noted the curious history of the issuing of *Gospel Order Revived*, the printing of which in New York stirred up such a pother in Boston, but possibly the book belongs more truly to the latter place, even though from the New York press. Garrett Noel's book catalogues also seem to us worthy of some mention, as among the earliest of their class in this country. The task of selection is, however, one which can be judged only by the compiler, and the work as a whole is so satisfactory and so needed, that it should be met with no hypercritical cavilling. The book itself—of which only 375 copies have been printed—is a beautiful production of the De Vinne Press, and in every respect the publishers seem to have spared no pains to make it a handsome piece of typography.

PAUL LEICESTER FORD.

The Growth of the American Nation. By HARRY PRATT JUDSON, LL.D., Head Professor of Political Science in the University of Chicago. (Meadville, Penn., and New York: The Chautauqua-Century Press. 1895. Pp. xi, 359.)

THIS little volume is written for the Chautauqua course for 1895-96. The author has aimed to "show clearly the orderly development of national life"; and to find room for this, he has touched lightly on the colonial period, as merely preparatory, and treated the Civil War and its following years briefly, as too near the present for adequate handling. The book has numerous illustrations and maps. The latter are useful in fixing for the reader the main changes in our historical geography, internal and external, by decades. From its nature, the volume is addressed particularly to Chautauquan readers and University Extension students; and on the whole it is admirably qualified to meet their needs. Professor Judson has the ability to seize upon important topics and to group them in an attractive and suggestive way. The work, moreover, is written in a spirited style.

Instead of following the rigid chronological order, the author groups his material topically, as follows: Part I. Explorers and Colonists; Part II. The Colonies become a Nation; Part III. The Dominance of Foreign Relations; Part IV. The Epoch of Peace and Social Progress; Part V. Slavery and State Rights; Part VI. The Indestructible Union of Indestructible States. This grouping involves more or less overlapping and some omissions, but it gives a much clearer view of the field than does the usual method, and it constitutes Professor Judson's real contribution to the literature of one-volume text-books in American history. Some other authors of such books have given their work the topical cast, but it has not before resulted in a successful invasion of the sanctity of the arrangement by presidential administrations. One of the merits of this plan is the fact that it gives opportunity for chapters dealing with phases of American growth that do not fall into chronological order. Such, for example, is the chapter on local life, in which Professor Judson points out

how largely American development is by groups within the nation, and illustrates this by a brief account of the post-Revolutionary history of the political institutions of the state of New York and by a sketch of our local governments.

These innovations in arrangement, and the title of the book, "Growth of the American Nation," might lead the reader to expect more novelty of opinion than he will find. On the whole, the author follows the usual views. The cursory survey of the colonial period prevents him from giving a satisfactory explanation of the political institutions and social and economic forces of the sections along the Atlantic coast, and of the development of American society in the formative eighteenth century. He accepts the American view of the legality of the contentions of the Revolutionists, and believes that since 1789 there has been an American nation. The subject of the growth of the nation would have warranted a fuller account of the intrigues for the Mississippi in the confederation period; the formation of settlement in the Gulf states, and the interior in general; and the succession of Indian wars by which the nation won the West. Professor Judson devotes hardly more than a paragraph to the Indians. The movements of national growth involved in the administration of the public domain, the extension of railroads, the direction and characteristics of immigration, might have been more fully treated. One wonders how New England was "democratic," on page 36, and "aristocratic," on page 64. It is certainly of doubtful correctness to speak of Washington as a "thorough aristocrat," and of Monroe as an "eminently respectable mediocrity." Since aristocracy played so large a part in Hamilton's principles, it is misleading, for that reason if for no other, to say that the principles of the national democracy of 1815 were "Hamilton's principles." New York's land claim was not limited to territory north of the Ohio. The trouble with the Creeks and Cherokees, and the Panama Congress, in J. Q. Adams's presidency, deserve mention. Such slips, as well as the bad method of marginal citation of authorities, indicate haste in the preparation of the book. Nevertheless, Professor Judson has made a valuable and suggestive manual, which is a welcome find in the flood of elementary text-books in American history.

FREDERICK J. TURNER.

The History of Canada. By WILLIAM KINGSFORD, LL.D., F.R.S. (Canada). Vol. VIII., 1808-1815. (Toronto: Rowell and Hutchinson. London: Kegan Paul, Trench, Trübner and Co. 1895. Pp. xviii, 601.)

HISTORICAL research has not greatly flourished in English-speaking Canada. The literary spirit is less strong there than in French Canada, and for a sufficient reason. French Canadians have the interests and ambitions of a distinct nationality. They are not French politically nor English intellectually. Their unique position and dramatic history have caused them to take a patriotic interest in themselves as a people which has

resulted in a very creditable literature. English-speaking Canada contains the only people on the American continent who have never known political revolution. They have always been British, and Britain's history is their history still. Their patriotic feeling is only half Canadian, and their national interest is distributed over the wide range of both English and Canadian history. Their own land thus receives from them a less exclusive attention than other American peoples give to theirs.

Parkman told the story of French Canada with a complacent belief in English superiority. A work in English that should cover the whole ground of Canadian history has been long needed, and Mr. Kingsford now supplies it. Nine volumes will complete his work. The first appeared in 1887. The present volume — the eighth — covers the period 1808–1815, and is devoted to the War of 1812 and its causes.

Mr. Kingsford's narrative is crowded with facts and figures and he makes no claim to be picturesque. Though he is a patriotic Canadian, he brings to his task a sceptical and discriminating spirit. The first of the four books of the present volume deals with the causes which led to the war, and, in a distinctly original and able manner, with the Napoleonic policy towards England in America. The Orders in Council and the Berlin Decree are treated of in relation to the discussions in the United States. Mr. Kingsford is severe upon Jefferson and Madison, but not more so than some of their countrymen have been, and shows that the war party proceeded upon the twofold assumption that England was about to be humbled by Napoleon, and that Canada was chafing under English rule and anxious to be delivered. The next book records the awakening on both points. The allies began their series of victories over Napoleon, and the Canadians showed an unexpected spirit of resistance. Relying upon Canadian disaffection, the United States directed the main attack upon the Niagara frontier. It was a mistake in every way. Not only had the region attacked been settled largely by expelled loyalists who cherished a deep hostility to the United States and would fight to the last for their homes, but even complete victory in Upper Canada would not have been decisive, for it would not have weakened Montreal and Quebec. These two points were the key to Canada. The French people, already under an alien race, would have resented the American attack less; and at these points the supplies for Upper Canada, which still imported even its cereals, could have been cut off. Mr. Kingsford speaks with some feeling of England's neglect of Canada at this time. Within a few weeks of the declaration of war, the English government was blind enough to order the 41st and 49th regiments to return home. Canada needed money to support a war brought upon her entirely by the action of England; yet, though England had plenty for her continental allies, she had none for Canada. Placemen from England got the best posts in the colony. The truth is that England was, in 1812, wholly absorbed in the contest nearer home. Free from that, in 1814, she sent 16,000 troops to Canada, and, had the war continued, the Duke of Wellington would have become their leader. There was gross

ignorance of Canada in England. The Horse Guards in 1814 officially described Montreal as in Upper Canada.

The year 1812 saw the Americans checked on land, and England, to her amazement, had been beaten upon the sea by her own children. Book XXIX. relates the incidents of the war in 1813. Mr. Kingsford devotes especial attention to statistics, and has been at great pains to determine the numbers engaged in the land and sea contests. The feeling of exasperation on both sides was intensifying. The British general Proctor left some prisoners insufficiently guarded, and forty of them were brutally massacred by his Indian allies. American officers were accused by the British of violating their parole, and some of them, including Winfield Scott, were plainly threatened with execution if they fell into British hands. The Americans burned the public buildings of York (Toronto), the capital of Upper Canada, and destroyed the pretty village of Newark (Niagara), leaving four hundred people homeless. The British retaliated. The American side of the Niagara frontier was devastated, and it was in continuation of this policy of reprisal for injuries in Canada that the public buildings at Washington were burned later.

Book XXX. brings the story of the war to a close, and is on the whole a record of disaster to the British army, owing largely to the incompetence of Prevost, the Governor-General of Canada. The destruction of property at Washington and the huge British losses at New Orleans make melancholy reading. "The events of the war have not been forgotten in England," says Mr. Kingsford, "for they have never been known there." They are certainly neither unknown nor forgotten on this side of the Atlantic. Mr. Kingsford complains of the partisan accounts of the war which American writers have given. He should discriminate. Second-rate writers in all countries are too blindly patriotic. Surely Mr. Adams and Mr. McMaster aim to be fair enough.

The work has four skeleton maps which are useful as a guide to the military operations. Mr. Kingsford has used the printed histories and in addition the manuscript collections in the Canadian Archives at Ottawa, to which he repeatedly acknowledges his indebtedness. Founded in 1872 under the present Archivist, Mr. Brymner, this collection has already become a model of arrangements and nearly complete in its transcripts of European manuscripts relating to the history of Upper and Lower Canada.

Mr. Kingsford is not a stylist, and his work though of great merit will not be popular. Some of his phrases are curiously redundant: "The national safety of the United States as a nation" (p. 40); "the unavoidable consequence would result in re-annexation to France" (p. 190); "the sacred soil of British ground" (p. 445). Sometimes he says the opposite of what he means to say: "Who will hesitate to say that the sentiment did *not* influence the diplomacy of Madison" (p. 135); "in no *brief* time it numbered five hundred men" (p. 221). His punctuation is singular, far too many commas being used. He has a theory as to the need of economy in using capitals, and we have "lord Liverpool," "sir George Prevost," "fort Erie,"

"île-aux-Noix," "Niagara falls." He will not yield to the people of the United States the title "American," and hence we have "United States" used incessantly throughout his book as an adjective. Mr. Kingsford may as well give up a hopeless contest. Words, once current, have a silent obstinacy that cannot be overcome.

There are numerous misprints, especially in connection with foreign words, and some small mistakes when European affairs are referred to. It was the Convention not the National Assembly which sat in France in 1794 (p. 5); Austerlitz was won not on November but on December 2; the Treaty of Pressburg was made not on January but on December 26; the Berlin Decree was issued not on November 25 but on November 21; Auerstadt should be Auerstädt (p. 23). The crew of the "Macedonian" is said on the same page to have been both 303 and 292 (p. 401). A period of thirty-nine years is called "upwards of a quarter of a century" (p. 429). One is puzzled to know how quotation by Sir G. C. Lewis can add importance to a passage from Scott (p. 25), and why notes referring to the Canadian Archives are sometimes within brackets and sometimes not.

GEORGE W. WRONG.

John Sherman's Recollections of Forty Years in the House, Senate, and Cabinet. An Autobiography. (Chicago, New York, London, Berlin: The Werner Company. 1895. Two vols., pp. xxxv, 1239.)

THESE volumes are no exception, in mechanical form, to those usually issued by "subscription" publishers. They are bulky and inconvenient for handling. The same printed matter, in clear but somewhat smaller type, might have been included in two volumes of moderate size which could be read without putting one's wrists to a strain. They are paged continuously, the second one beginning with page 603.

The title "Recollections" is somewhat misapplied. A large part of the space is given to extracts from speeches, which, though of permanent value, should have been assigned to separate volumes. Their inclusion here breaks the narrative and involves a repetition of the same facts and arguments, which sometimes wearies the reader and is calculated to obstruct the general use of the book.

The author and subject of the two volumes came of the best New England stock, — the Shermans of Connecticut, from a branch transplanted to Ohio at the beginning of this century when the American empire was crossing the Alleghanies. In public service, military and civil, the brothers, William Tecumseh and John, surpass any who have borne that honored name. There is nothing obscure or humble in their origin; their father was a lawyer and judge in Ohio as his father had been in Connecticut. Their mother was the daughter of a prosperous merchant of Norwalk, Conn., and was well taught in the seminary at Poughkeepsie, N.Y. They were two of eleven children, William being the sixth and John the eighth.

Their father died when they were of very tender years ; but brothers and sisters were helpful to each other, and were, besides, assisted by other kindred in good circumstances. Lancaster and Mansfield are the two well-known towns of Ohio with which they became most identified.

The boy John, left much to himself, missed the complete training which was at his command. He went so far as to become fairly proficient in algebra and geometry, and obtained a certain facility in reading Latin, without pushing on to liberal studies and the modern languages. His twofold desire to help his mother and to gain a fortune for himself turned him away from college doors. He would not have begun life like most Western boys of that day if he had not gone down the river in a flat-boat laden with merchandise. His trip on the Ohio to Cincinnati proved to be a losing venture ; but his thrift saved him afterwards from similar disasters. He was, while still a boy, a surveyor and engineer, an excellent practical training which recalls a like experience in the early life of Washington and Lincoln. He became, at the age of sixteen, antipathetic to the Democratic party, whose success at a state election deprived him of his place. Later he turned to legal studies, being admitted to the bar as soon as he was twenty-one, after having already been engaged in practice for a year or two. In three years after his admission he had accumulated \$10,000 in his profession and had made profits also in the manufacture of doors, blinds, and other building materials. At the bar, as afterwards in the political forum, he showed his intellectual traits, — a clear and vigorous intellect, logical power of the first order, and a determination to go to the bottom of every subject he dealt with. From the first he cared little for and almost despised the adornments of rhetoric. No less a contemporary than Chase once advised him to add a peroration to a speech, but after giving some thought to the suggestion he put it aside. He has, however, the gift of genuine eloquence, as is shown by his address, July 7, 1893, on the arrival of the Spanish caravels at Chicago.

The author has revealed himself, his hopes, ambitions, and youthful missteps with almost Franklin's candor ; and it was quite unnecessary for him to disclaim egotism and pride of family in narrating what the public most wish to know. The chief interest of the volumes centres, of course, in the political transactions in which Mr. Sherman has borne a part. His public life began with his election to Congress in 1854, and has continued without interruption to this day. It is contemporaneous with the entire existence of the Republican party, in which he took at the beginning a leading position, and of which he is now altogether the foremost figure. Though a Republican, never questioning or hesitating in his allegiance, he had no earlier connection with the antislavery movement, and had no sympathy with its aims and spirit. On that roll of Ohioans where are found the names of Thomas Morris, Salmon P. Chase, Joshua R. Giddings, and Samuel Lewis, that of Sherman has no place. It sounds strangely that the most distinguished Republican of to-day was an earnest supporter of the Compromise of 1850 and of the Fugitive Slave Act, was a steadfast oppo-

ment of Free-soilers, and defended the maintenance of slavery in the District of Columbia. Even when the Fugitive Slave Act was finally repealed in 1864, he withheld his vote because the repeal did not save the act of 1793. No mention is made of his association with Giddings, whom Lowell thought worthy of an ode, although they were colleagues for four years. Nevertheless he has always been so faithful a party man that he acquiesced readily in the support of Republican measures against slavery, although he might not have promoted them in advance. He came at once to the front as a member of the Congress meeting in December, 1855, in which after a long contest Banks was elected Speaker, and thus he took a part in the first Republican triumph. He served as a member, and the most effective member, of the committee appointed to visit Kansas and report concerning the contests between the pro-slavery and Free State forces in that territory. That duty well performed, he became the leader of his party in the House and its candidate for Speaker in the next Congress.

In deportment as senator or member of the House, Mr. Sherman leaves nothing to be desired. He has been uniformly amiable, has dealt fairly with opponents, and, though generally in the thick of the fight, has never, no matter what the provocation, uttered a word which his best friend could wish he had left unsaid. The writer, in pursuing a certain study, was obliged to go closely over the debates of Mr. Sherman's first fourteen years in the Senate and was struck with his exceptional adherence to the highest standard of parliamentary decorum. It is doubtful if any other public man in our history, to whom has been assigned the post of aggressive leadership in hot political controversy, could stand the same scrutiny.

With all the poise and strength of his understanding and his general fidelity to right conduct, one misses in Mr. Sherman something which it is not easy to define, — perhaps a certain want of ideality or of political imagination, or of appreciation of moral forces, qualities more or less conspicuous in Jefferson, in the two Adamses, and in Lincoln. Judged by what he leaves unsaid, he would not, as President in 1862, and perhaps at any time, have issued the Proclamation of Emancipation (pp. 313, 330).

This defect or limitation, in connection with his intense partisanship, which he confesses to have been his fault (p. 227), takes from Mr. Sherman's career something of the picturesqueness which otherwise it would have. One searches it in vain for scenes like these : Adams maintaining the right of petition in face of a frowning oligarchy ; Giddings censured for his defence of freedom and returning to his seat with the approbation of his people ; John P. Hale bidding defiance to his party in resisting the annexation of Texas ; Corwin denouncing the invasion of Mexico ; Douglas taking his stand against the Lecompton Constitution, though it was backed by the support and patronage of a Democratic President ; Sumner putting his foot on the San Domingo scheme and awaiting the penalty imposed by a subservient Senate ; Chatham thanking God that the American Colonies had resisted British aggression ; John Bright confronting popular frenzy in the Crimean War and forced from the public service by his Manchester constitu-

ency, or Abdiel-like resigning from Gladstone's cabinet when he could not in conscience sanction the bombardment of Alexandria. Such instances of courageous self-reliance make the romance of political biography. They give to statesmen an immortality, sometimes in a day, which would not come from a life-long conformity. If in a recent exigency an old senator, standing at the head of the Committee on Foreign Relations, where Sumner had once stood, had, with that example before him, put his foot on a resolution which meant war if it had any honest meaning whatever, demanding at least the customary pause for deliberation, the name of Sherman might have been added to the honored list of statesmen who have held at bay the madness of the hour, assured of vindication by the permanent judgment of mankind.

Mr. Sherman's connection with financial discussions began May 27, 1858, when he made a speech on the expenditures of the government, and has continued to this time. At an early period he was too much affected by local atmosphere,—the "Ohio idea" then running madly among his constituents,—or by what seemed to him political and financial necessities. In a speech February 27, 1868, he affirmed the right of the government to redeem the principal of the national debt in existing depreciated currency, a position taken, as he afterwards explained, to induce holders of bonds to exchange them for those bearing a lower rate of interest and payable in coin. This declaration alarmed bondholders here and abroad, induced an anxious inquiry from John Bright, and brought out a pamphlet from Edward Atkinson, entitled *Sherman's Fallacies*. It is creditable to Mr. Sherman that he now disapproves the position that he then took (pp. 439, 624).

The necessity of retiring the national notes wholly or in part, in order to resume and maintain specie payments, or to keep up the gold standard, has never been admitted by Mr. Sherman. He even advised, as a member of Hayes's Cabinet, against the latter's veto of the inflation bill, and he has held to the position that three hundred millions or more of these notes are essential to a sound currency. He discredits altogether "the endless chain" of coming and departing greenbacks, reducing at each visit the gold reserve of the treasury. Conservative financiers will agree rather with McCulloch, Hayes, and Cleveland, than with him; but this is not the place to enter upon that discussion.

Mr. Sherman disclaims the paternity of the "Sherman Silver Law," which carried up the silver issue to 4,500,000 ounces a month (pp. 1061, 1068-1070, 1144, 1162, 1163, 1175); but under the circumstances the title is not a misnomer. It is safe to say that it would not have passed without his effective aid; and he was chairman of the conference committee which framed and reported it. His explanation of his connection with the measure is hardly satisfactory. An act, which he says he was willing to repeal the day of its passage, was one which he should not have assisted in passing. It was his want of faith and courage which brought about the curious spectacle witnessed at the beginning of the next administration, when Republicans were beseeching a Democratic President

and Congress to undo the work they had themselves done. The only apology for supporting the bill which Mr. Sherman gives is that it was necessary to prevent free-coinage legislation. But such legislation was impossible against an executive veto; and while Mr. Sherman implies distrust of President Harrison, he gives no evidence of an announcement from him that he would sign a free-silver bill (pp. 1070, 1175, 1189). In the absence of such an announcement it was for Mr. Sherman to assume that he would do his duty in resisting the free-silver craze, as Grant, Hayes, and Cleveland did theirs, under like circumstances. Mr. Sherman says he "had no right to throw the responsibility upon him [the President]." But upon what principle is the highest magistrate in the land to be relieved of the responsibility which the Constitution distinctly places upon him? What is the veto power good for if it is to be put aside in that way? It should be added that Mr. McKinley, the manager of the measure in the House, took at the time a view of the situation entirely different from that which Mr. Sherman now gives. In his speech, June 7, 1890, he maintained that the bill was the most favorable to the silver party that was then attainable, and that its defeat would be the defeat of all silver legislation at that session.

But whatever criticisms certain points in Mr. Sherman's connection with our financial history may invite, it is due to him to put on record that in the Senate and the Cabinet and on the platform, he has done a service to his country in the restoration and maintenance of specie payments, and in resistance to schemes of silver inflation, far surpassing that of any contemporary statesman. It is no exaggeration which associates him with Hamilton and Chase. He reported in the session of 1874-1875, and carried through the Senate the resumption bill. It passed the House, though voted against on the ground that it was inadequate for its purpose by conservative men like Dawes, Hawley, E. R. Hoar, G. F. Hoar, H. L. Pierce, and others from the Eastern States. But in spite of these honest doubts and fears Mr. Sherman, as Secretary of the Treasury, put in execution the scheme which he had initiated and promoted in Congress. Nor did his achievement end here, though this alone was enough to secure his permanent fame. No public man in our history has done so much to expose in Congress, and before the people, the fallacies of the advocates of paper money inflation and of a silver standard. Others have made sporadic efforts, but his service has been constant. There is no county in his own state where he has not been heard, often more than once, on this subject; and he has taken the foremost part for twenty years in the Senate in every debate on the currency. It is due to him, far more than to any other voice and influence, that the wave of silver fanaticism has receded from his own and other states of the Mississippi Valley.

Mr. Sherman disavows ever having been "an extreme protectionist" (p. 1008). His judgment is in favor, "on the whole," of the McKinley tariff, though disapproving some of its details. He recognizes the perpetual disturbance to business consequent upon the political contests over the tariff, resulting in an act passed by a bare majority, shortly repealed by a close

vote to give place to another, the repeal of the repealing act at once agitated, and so on indefinitely,—all to the dismay of manufacturers and merchants, who can count on nothing as stable beyond the terms of the President and Congress holding office for the time being. Mr. Sherman objects to this endless alternation, and believes that the tariff should no longer be “the football of partisan legislation,” but that it should be “a purely business and not a political or sectional issue;” and that the framing of its schedules should be intrusted to “the selected representatives of the commercial, industrial, farming, and laboring classes.” He confesses the selfishness of the makers of tariffs, who sacrifice their professed principles when contending for the interests of their own states and “destricts” (pp. 189, 193, 843, 1084, 1085, 1128, 1135).

It is interesting to note what charitable judgments of antagonists are habitual with statesmen as they come near to the end of all controversy. Mr. Blaine said to the writer a few months before his death, in reference to his *Twenty Years of Congress*: “What I have said of Bayard and Schurz is true, but I wish it were not there.” With the exception of these two, Mr. Blaine praised friends, adversaries, and rivals alike. His personal descriptions are of such a metallic and stereotyped form that they fail to individualize the long procession of contemporaries whom he brings before his readers. Mr. Sherman’s tributes are heartier and less conventional. He has kindly words for his Democratic colleagues in the Senate, Pendleton, Thurman, and Payne, and for other Democratic opponents, as Governor Hoadley, Governor Campbell, S. S. Cox, and Henry Watterson. To President Cleveland he is uniformly fair, commending him as “a positive force in sustaining all measures in support of the public credit” (pp. 1195, 1208). He sees in Buchanan only “feebleness of will, not intentional wrong,” pays a tribute to his frankness and sincerity, and relates an interview with the ex-President at his home when he gave an emphatic approval to Mr. Lincoln’s measures for the suppression of the rebellion (pp. 202, 249, 250). His mantle of charity covers even President Pierce (p. 143), whose baleful letter to Jefferson Davis, January 6, 1860, he may have overlooked. While uniformly just to his political allies, Mr. Sherman does not carry his charity so far as to shield Roscoe Conkling, whose “insane hate” and “inborn desire to domineer” led him to the attempt to wreck the administrations of Hayes and Garfield (pp. 682, 684, 817). It would have been well if Sherman, Edmunds, and other senators had not at an earlier day, by letting him have his way, stimulated this Cæsar with the meat on which he fed, making him grow so great. To President Hayes Mr. Sherman pays a just tribute, placing him before Garfield, whose weakness of will was a fatal element of his character (pp. 807, 822). It is to Mr. Sherman’s credit that, while not a leader in the civil service reform, he took exception at the time to Garfield’s thrust at that reform, which was placed in his letter of acceptance in order to propitiate Conkling (p. 779). He now advises a mandatory provision forbidding members of Congress to recommend appointments (p. 855).

Mr. Sherman is not an admirer of General Grant's civil career. He regretted at the outset that the latter was made a candidate for the Presidency, then preferring Chase; and he mentions the General's disposition to treat heads of departments as military subordinates, and his indifference to financial questions (pp. 416, 447, 449, 474, 475, 552, 788).

The value of these volumes is chiefly in their relation to financial history. There is elsewhere a want of fulness and clearness of statement even as to events in which the author took part, a want of research where his knowledge is only at second hand, and a passing over of important transactions on which he might have thrown light. One looks in vain to find an explanation of the methods by which the necessary Democratic votes were obtained for the Thirteenth Amendment of the Constitution, or to find an account of the negotiations with Southern members of Congress which resulted in their acquiescence in the decision of the Electoral Commission,—matters on which Mr. Sherman, and two public men of his state, Mr. Ashley and Governor Foster, might give information.

Mr. Sherman puts on record his opinion that early in 1861 the public mind of the North was so decidedly in favor of concessions to the South that "the Republicans would have acquiesced in the Crittenden Compromise or in any measure approved by Lincoln and Seward." It is not doing justice to Mr. Lincoln, who maintained the right and duty of the Republicans to carry on the government on the principles which they had proclaimed, to couple his name with that of Seward, who seemed at the time equal to any surrender. It is going beyond the evidence to say that the Republicans would have acquiesced in the Crittenden Compromise. Senator Clark's resolution that the Constitution "needs to be obeyed rather than amended" expressed then the judgment of Republican senators; and Seward's private letters show that he was unable to influence his associates. He wrote, January 13, 1861: "Two-thirds of the Republican senators are as reckless in action as the South." It is safe to say that the adoption of the Crittenden Compromise in 1861, under the lead of Seward or any one else, would have divided hopelessly the Republican masses, left Mr. Lincoln without a party behind him, and brought again the Democrats into power.

Mr. Sherman says of the provision of the reconstruction act of 1867, which first established compulsory suffrage for the colored people: "On the 16th of February, after consultation with my political colleagues, I moved a substitute for the House bill" (p. 370); and this is all the account he gives of it before it reached the Senate. But the fact is, as appears by accounts written out by Sumner and Conness and by Mr. Sherman's remarks in the Senate February 10, 1870, there was a formal canvass of Republican senators February 16, 1867, which appointed a committee of seven, with Mr. Sherman as chairman. In this committee Sumner moved the provision for equal suffrage; but the motion received, besides his own, only one other vote, probably Howard's. He then gave notice that he should appeal to the caucus, in which, on Wilson's motion, it was adopted by one or two majority. Mr. Sherman, though not favoring it before, now reported and

sustained it as the decision of the party. Mr. Sherman's mere reference to "a consultation" is hardly an adequate explanation of an important historical circumstance, which led to the Fifteenth Amendment. Mr. Sherman questions the wisdom and expediency of this last constitutional provision (p. 450), coming after experience to the same conclusion as Mr. Blaine, who, in the interview already referred to, said with dramatic emphasis: "I believe it would have been better to have stopped with the Fourteenth Amendment. It is true, what Burke said, you cannot indict a whole people. You cannot make the Southern people do what they determine they will not do, though you should put a soldier on every square foot of ground."

Mr. Sherman reviews at some length the impeachment proceedings against Andrew Johnson, coming to the rather lame conclusion that he voted "guilty," but "was entirely satisfied with the result of the vote, brought about by the action of several Republican senators" (p. 432). He is of opinion that the President violated the "Tenure of Office Act"; but that was at least a doubtful question, — Chase, Fessenden, and Trumbull taking the view that he had not gone beyond the law. The mere violation of a statute, if there had been one, would not have been a justification for the proceeding; for such breaches were committed several times by Lincoln and once at least by Grant. Mr. Blaine, though voting to impeach, has recorded his mature judgment that Johnson was "impeached for one series of misdemeanors and tried for another series"; and that the proceeding was "not justifiable on the charges made"; and this is the view that now prevails. Republican orators and writers have never counted the measure among the party's achievements.

Mr. Sherman's account (pp. 470-473) of the differences between Senator Sumner and President Grant and Secretary Fish is singularly inaccurate and confused, because of imperfect recollection and inadequate research. Indeed, he declares that "by the happening of great events this incident has almost passed out of memory." Mr. Sumner and Mr. Fish had not "differed widely in respect to the annexation of San Domingo and certain diplomatic appointments and former treaties, among them the highly important English negotiation for the settlement of claims growing out of the war." They agreed as to the annexation of San Domingo, both being unfriendly to it, as General J. B. Cox's paper in the *Atlantic Monthly* for August, 1895, shows, though Mr. Fish finally yielded his better judgment to the President's pressure. They also had no differences as to diplomatic appointments. They had no substantial differences on the question of claims against England and the British proclamation of belligerency, — the senator approving Mr. Fish's instructions to Motley in May, 1869, and particularly those which followed in September. Mr. Sherman says, without taking dates into account, that this difference which he supposes to have existed led to Motley's removal. That removal did not take place till July 1, 1870, eight months at least after Mr. Motley's connection with the negotiations had ceased, by their transfer to Washington as the better

forum; and it took place at a time when no negotiations were pending. When revived, they were revived at Washington in December, 1870, the American minister at London taking no part. Motley's removal came July 1, 1870, the day after the defeat of the San Domingo treaty, and was the President's answer to the Senate's action, for which he held Sumner responsible.

Mr. Sherman says that the President, when he called on Sumner, was "evidently misled" as to the latter's views concerning the San Domingo treaty. It is doing injustice to the President's intelligence to assume that when a senator told him he would give a candid consideration to a subject then first brought to his attention, he thereby pledged himself to a course of action on a treaty as to which he was as yet wholly uninformed. That has not been Mr. Sherman's way of dealing with suitors, nor is it the way of any public man who has a proper appreciation of his place and duties.

Mr. Sherman refers to Sumner's "extreme and active opposition to the treaty" and the severity with which he arraigned the parties concerned in it. It is true that he spoke plainly of the action of Babcock and the naval officers as they came to his knowledge, but his language concerning the President, while the treaty was under consideration, was in every respect considerate and kindly. Such was the testimony of the President's friend, Senator Howe. The President's retaliatory act in the removal of Motley brought about a change of relations.

Mr. Sherman states that he did not vote for the treaty, as did a large majority of the Republican senators, but he does not state whether he voted at all or not. The fact is that he did not vote; and in view of his recorded opinions against insular and other acquisitions it would have been interesting to have had his explanation of the withholding of his vote. Was it the fear, which is likely to have governed Wilson's affirmative vote, that the crossing of the President's will at that early stage of his administration might place another name by the side of those of Tyler and Johnson?

Mr. Sherman has profitably employed his vacations in instructive journeys, often visiting the Pacific coast and remote West, and refreshing himself now and then with crossing the Atlantic. Among his remembered experiences in Paris was a presentation to the Emperor and taking part in the Mayor's reception at the Palais Royal, where the American senator appeared in a costume which would have startled his Richland County neighbors, "a dress coat and trousers extending to the knees, and below black silk stockings and pumps." At Berlin he had an interview with Bismarck. In England he met Gladstone and Disraeli and also our country's steadfast friend, of whom he says: "Of all the men I met in London, Mr. Bright impressed me most favorably. Finely formed physically, he was also mentally strong. He was frank and free in his talk and had none of the hesitation or reserve common with Englishmen. He was familiar with our war and had no timidity in the expression of his sympathy for the Union cause. If we ever erect a monument to an Englishman, it

should be to John Bright" (p. 399). It sounds strangely after this tribute, to relate that on April 2, 1889, when a resolution commemorative of John Bright, who had just died, was offered in the Senate, it was Mr. Sherman who prevented its immediate passage by insisting on its reference to his committee, whence it never emerged. It is not known what prompted this opposition to a recognition of our country's benefactor, its greatest foreign benefactor after Lafayette. Was it undue deference to foreign agitators on our soil, seeking to embroil our people in their old-world controversies?

Mr. Sherman's farewell words,—that while doing hereafter his best "to add to the strength and prosperity of the United States," he will do "nothing to extend its limits or to add new dangers by acquisition of foreign territory,"—together with other passages concerning "outside possessions" (pp. 975, 1039, 1040), give assurance that while he remains in the Senate we are to be saved from the incorporation of Samoa, St. Thomas, San Domingo, Cuba, and the Sandwich Islands into our American system, and that this nation is to be confined to its legitimate sphere of development within its own present ample domains. Sober-minded patriots bid the veteran statesman God-speed in this service.

EDWARD L. PIERCE.

Commentaries on the Constitution of the United States, Historical and Juridical; with Observations upon the Ordinary Provisions of State Constitutions, and a Comparison with the Constitutions of Other Countries. By ROGER FOSTER. Vol. I. (Boston: The Boston Book Company. 1895. Pp. viii, 713.)

THE line between commentaries on a constitution on the one hand, and a constitutional history on the other, is not always very clearly drawn. Perhaps we may say that the primary purpose of the first is legal exposition of things as they are, while that of the second is to explain how things came to be what they are. The difference is in the point of view. Story's *Commentaries on the Constitution of the United States*, and Stubbs's *Constitutional History of England*, may be taken as types of the two methods—the one a text-book for lawyers, the other for scholars.

But while the difference may be roughly marked in this way, after all the two kinds of thing are necessarily more or less merged. The commentator cannot expound without tracing more or less of historic sequences. The historian fails if his researches do not lead to a lucid exposition of existing institutions. Indeed, the present tendency of historical and legal scholarship is toward a distinct blending of method. It is not too much to claim that the richest results in political science may in no other way so well be reached as by using the processes of historical research. In other words, political science is not merely law. It is not merely history. It is both. Law is its subject-matter. History is its method of treatment. Law is best illumined by the clear light of history.

No better illustration of the truth of this thesis can easily be found than

is afforded by Foster's *Commentaries on the Constitution of the United States, Historical and Juridical*. It is in fact a constitutional history of the United States, thrown into the topical form of a constitutional commentary. The *raison d'être* of each provision of the federal constitution is seen in the successive events which led to its adoption. The meaning is made clear by our political history during the century since its adoption. The lawyer's logical exposition is enriched by the scholarship of the historian.

The order followed is, in the main, that of the constitutional text, the first volume (volume second is not yet published) covering the preamble and the first three sections of Article I. But, of course, in treating the great subjects involved in the general theory of the government, and in the structure and essential powers of Congress, any other portions of the document which are pertinent are freely used. But they are discussed because of their importance to the subjects above named, which are the topics of this volume.

Besides the historical method pursued, a second important feature of Mr. Foster's work is his recognition of another truth,—the dual nature of our government. The essence of federal government is its duality,—the balance of central and local authority. In fact, the constitution of the United States consists not of one document, but of forty-six. In each state the fundamental law comprises the federal constitution and the local state constitution. They mutually supplement each other. State officers are sworn to support both. Federal officers may not violate either so long as their provisions are not in conflict. No one can adequately understand either without the other also. Hence a commentary on the constitution of the United States is incomplete unless it touches at least on the essentials of the state constitutions. At this point there is a defect in our histories and in our constitutional treatises. There is considerable recognition of our local life, especially of late years; but of the interaction of local and national forces, of the effect of local social and legal conditions on national development,—of these there has been too little account. A general history of the United States which discusses Kentucky as if it were no more definite and significant an organism than a French department, is far from giving an accurate picture of the conditions of American life.

Mr. Foster on his title-page promises to remedy this defect. The most notable evidence of carrying out his purpose in the present volume is the valuable appendix on impeachment trials in the states. Of course, in discussing state rights and suffrage he also deals largely with local organization. It is to be hoped that in the subsequent part of the work the comparison of federal with state political structure and methods will be still more pronounced.

A great advantage possessed by a constitutional writer at the present time is in the practical completion of constitutional interpretation. The Supreme Court, the Civil War, and the last amendments have settled about all the doubtful questions of moment. "The United States are a nation. The Union is not a league, and cannot be dissolved except by a revolution.

These are principles which have been established by the adjudications of the courts, the action of Congress and the executive, the acquiescence of the states, and the arbitrament of war" (p. 61). In saying these words, Mr. Foster sums up three-quarters of a century of our national politics. And by this declaration he aptly introduces one of his most important chapters,—that on the nature of the constitution, on nullification, secession and reconstruction. The great constitutional questions involved in these subjects have been finally answered. The process by which the answer has been reached covered a large part of our national history, and was so fundamental that it shook the republic. The sketch of this epoch is very clear and dispassionately accurate. The reconstruction period, with all its perplexities and all its mistakes, is treated very fairly. There have been few instances in history in which a government has been confronted with so serious difficulties as those with which the Union had to deal when the Civil War was ended. To cope with them without mistakes was impossible. That they were surmounted with so few errors, indeed that they were surmounted at all, will in time appear one of the greatest marvels of history. The Southern states to-day, only one generation after the war, are not an Ireland. They are as loyal a part of the Union as New England itself. They exercise full local self-government. They share as freely in the national government as do any other states. Men who were in arms against the Union sit in the national Congress, have sat at the President's council board and on the bench of the national courts. And they have been quite as patriotic and quite as valuable in these places as their colleagues who fought on the victorious side. The truth is that the constitutional theories for which the South fought have been destroyed. And the danger was in the theories, not in the men who believed in them.

Mr. Foster is especially clear and forcible in tracing the evolution of these theories. He shows that the term "sovereign states" was and is merely a misnomer—and a very mischievous one. But "state rights" are an essential part of our federal system, and will remain so. He is quite right in pointing out the grave error of the Southern States in not promptly accepting the Fourteenth Amendment (p. 234). Had they done that, the tremendous mistake of indiscriminate negro suffrage, with all its inevitable evil results, would have been avoided. He is doubtless also right in pointing out the plain inconsistency and the probable unconstitutionality of the reconstruction acts of Congress. Congress laid down certain conditions precedent to the readmission of the lately insurgent states. So far as those conditions related to the adoption of the amendments, they were self-executing. But the suffrage provisions of the Mississippi constitution of 1890 hardly conform to all the conditions of the act readmitting that state to the Union. Yet there can be little doubt that it is the Mississippi constitution which is valid and the act of Congress which was invalid. Mississippi is a state of the Union on a par with all the other states. It cannot rescind the ratification of an amendment to the federal constitution. No state can do that. It can change its own constitution.

with reference to suffrage within the limits of the Fourteenth and Fifteenth amendments. Any state can do that, and any act of Congress forbidding such action is null.

Mr. Foster insists (p. 22 *seqq.*) that the federal constitution is marked by strong originality. Again he is right. Its elements may be traced to many sources. But as a whole it is just what Gladstone called it, — “the most wonderful work ever struck off at a given time by the brain and purpose of man.”

And now that the evolution of the republic has made clear the meaning and purpose of all the parts of the great instrument of government, it is time that all should be summed up in a complete exposition. The one we are considering bids fair to take that place in the literature of constitutional history and law. It can only be hoped that the promise of this volume will be fulfilled in the remainder of the work.

HARRY PRATT JUDSON.

Essays in Taxation. By EDWIN R. A. SELIGMAN, Professor of Political Economy and Finance, Columbia College. (New York and London: Macmillan and Co. 1895. Pp. x, 434.)

AMERICAN representatives of that “historical school of economics” much discussed in this country some ten years ago have made, as a rule, but slight use of history in their published works. To this rule Mr. Seligman is an exception. His *Essays*, to be sure, do not constitute a history of taxation. On the contrary his chief interest, frankly confessed, is rather in theory, which he regards as affording both a means for the interpretation of actual tax conditions and a canon for the constructive criticism of existing taxes. The *Essays* are, therefore, but incidentally historical. Nevertheless the historical element in them is considerable, for present theory and present practice alike are everywhere explained by tracing their development. Simply as an example of method, the book has thus a two-fold value. To the theoretical economist, on the one hand, it reveals how much may be sacrificed of clearness and of cogency by neglecting history. To the writer of economic history, on the other hand, it indicates the helpfulness of such discreet selection among manifold industrial phenomena as has not resulted, in some instances, from a combination of antiquarian ardor with economic ignorance.

The introductory essay on “The Development of Taxation” attempts what may be described as a philosophy of tax history. The norm of taxation has gradually changed from “taxes proportioned to benefit received” into “taxes proportioned to ability to pay”; and the change is due to “the slow and laborious growth of standards of justice in taxation, and the attempts on the part of the community as a whole to realize this justice.” There can be no doubt that, correlatively with the increasing diversity in the forms of wealth and in the sources of income—that is to say, in the indices of taxable ability—justice in taxation, as we now conceive

justice, demands the progressive diversification of taxes. There can be as little doubt that such diversification in the forms of taxation has taken place. But there is much room for doubt whether actual diversiformity of taxation is so largely the result as Mr. Seligman apparently thinks it of obedience to the social demand for justice. He admits, indeed, that "according to the experience of history most reforms, in finance at least, are due to selfish reasons." Nevertheless the general tendency not only of his opening essay but of his whole book is to assign the first place as a reformatory agency rather to ideal justice than to fiscal necessity. In opposition to his view it is at least possible to argue that fiscal exigencies were most easily satisfied by seizing, through some new device of taxation, upon each new form of property or of income as it arose. Thus we may account in another manner, and in a manner perhaps not less probable, for the emergence of approximately that diversification in taxes which justice is thought to demand.

Of Mr. Seligman's more specific use of history perhaps no better example can be cited than his essay on "The General Property Tax." When first feudal payments in England received distinct recognition as a money tax, they appeared as a tax upon land, for land was then virtually the only form of wealth. With the growth of industry and commerce in the towns, this land tax gradually developed into a local tax on all property, supplemented by a poll tax. National taxation followed in the wake of local taxation, tallage merging into tenths and fifteenths. These were for a time fairly successful; but the continuous growth of movable property made possible increasing evasion, until the crown was forced to supplement the existing tax, deteriorated into an almost exclusive tax on land, by a new general property tax called the "subsidy." Again and again this experiment was repeated. In practice the subsidy, the monthly assessments of the Commonwealth, and the later "general property tax" successively degenerated, in spite of rigorous statutes, into virtual land taxes. The fact of their degeneration was at last formally recognized when, in 1697, what remained of the general property tax was officially styled "the annual land tax." Since that time England has given up the attempt to reach all sorts of taxable ability by one tax. The history of Roman, of French, of German, and of Italian taxation reveals an analogous development. In themselves these facts may or may not be of interest; to Mr. Seligman they are of interest because they show something:—

"History thus everywhere teaches the same lesson. As soon as the idea of direct taxation has forced itself into recognition, it assumes the practical shape of the land tax. This soon develops into the general property tax, which long remains the index of ability to pay. But as soon as the mass of property splits up, the property tax becomes an anachronism. The various kinds of personalty escape, until finally the general property tax completes the cycle of its development and reverts to its original form in the real property tax. The property tax in the United States is simply one instance of this tendency; it is not an American invention, but a relic

of mediævalism. In substance, though not in name, it has gone through every phase of the development, and any attempt to escape the shocking evils of the present by making it a general property tax in fact as well as in name is foredoomed to failure."

Among so many statements of fact as Mr. Seligman necessarily makes, an occasional slip is inevitable. For instance the war tax of republican Rome, the *tributum civium*, is declared "not so much a tax as a compulsory loan to be repaid out of the proceeds of conquest." The repayment of the *tributum* was by no means invariable, and no obligation of the state to repay it has been proved. On the contrary Livy says that it was repaid, in 187 B.C., *ad populi gratiam conciliandam*. On page 139 of the *Essays* the New York statute of 1853 which provided for taxing "the capital stock of every company . . . together with its surplus profits or reserved funds exceeding ten per cent. of its capital," is described as taxing corporations "on the amount of their paid-up capital stock in excess of ten per cent. of the capital" — words from which it is difficult to extract any meaning whatever. In the essay on "The Betterment Tax," Mr. Seligman says "the institution is indeed found in America, but the name is unknown there." On the contrary the supreme court of Massachusetts has repeatedly spoken of "assessments for betterment," e.g., in *Prince vs. Boston* (111 Mass. 226, 230 — decided in 1872) and in *Foster vs. Park Commissioners* (133 Mass. 321, 336 — decided in 1882). These, however, are all trifling matters, easily corrected. A questionable assertion of somewhat greater importance is that "the custom of special assessment for benefits is of English origin." Mr. Seligman finds in English statutes of 1662 and 1667 the prototype of the New York provincial law of 1691, which was "the first law providing for special assessments in America." Whatever may be the historical connection, or lack of connection, between these laws, special assessments in New York are, in fact, at least a generation older than Mr. Seligman makes them. On the 15th of March, 1657, the residents upon De Brouwer Straat in New Amsterdam asked to have their street paved, and the Burgomasters commissioned Isaack de Forest and Jeronimus Ebbingh to take charge of the work, of the expense of which all residents in the street were to bear a proportional part. Three years later the residents on De Heere Graft (now Broad Street) submitted a like petition, adding "it is also asked that each one benefited shall be made to pay a portion of the expense." On the completion of the work Jacques Cortelyou, surveyor, returned the names of the twenty-one persons who owned property on the street, with the frontage of each lot, and they were assessed sums varying from 71.01 guilders to 273 guilders, the total being 2792.19 guilders. Evidently the inhabitants of New Amsterdam were familiar with assessments for benefit before they came under English law.

In their economic aspects the *Essays*, which exhibit a competent acquaintance with the tax laws and with the fiscal theories of foreign countries as well as with our own laws and conditions, are a distinct

advance upon all previous American writing concerning state taxation. The book is accurately printed and admirably indexed.

CHARLES H. HULL.

Mr. Brooks Adams relates, in the preface to his *Law of Civilization and Decay* (New York, Macmillan and Co., 1895, pp. x, 302), that his *Emancipation of Massachusetts* led him to study more thoroughly certain aspects of the Reformation, and that these studies led him still farther back into a more general study of history, until there gradually shaped itself in his mind the theory of history which he has presented in this volume. To the reader of the book who judges it from the standpoint of the special student of the facts of history, it seems a marked example of the influence which, consciously or unconsciously, the so-called "fall of Rome" usually exerts upon the thinking of men in regard to the course of history. For him, the book strongly emphasizes the conclusion to which many considerations must have led him, that one of the things most imperatively demanded before any very complete work can be done upon the general course of history is the minute study of the fall of Rome by some one who is not merely a thoroughly trained historical critic, but who is a thoroughly trained economist as well.

The author considers the course of history to be a regular alternation between one stage in which society is loosely organized, controlled by fear as the active cause, and of a military and imaginative type, and another in which society is highly centralized, controlled by greed, and of an economic type. The first changes into the second through the accumulation of capital, and the second changes back into the first through the extinction of the productive power under a capitalistic organization. Rome gained its empire by the strength of its military class, but at once began the development of a capitalistic class which became so powerful as to control the state, and finally to destroy the producing class. This left Rome defenceless, and the Germans easily entered and introduced a new age in which the imagination again became the controlling force. Thus was produced the theocracy of Gregory VII. and the Crusades. But the Crusades brought the West into contact with the two highest civilizations of the time,—the Eastern Empire in the final stages of centralization, and the Arabs at the meridian of their material splendor,—and this contact introduced an age of economic competition in Europe. Gradually a struggle came on between the imagination, represented by the priests, and the new economic force in which the money power gained a complete victory. This victory is the Reformation, which put the state under the control of the capitalistic class as in Rome. Since then there has been a steadily increasing centralization of society, and a more and more powerful capitalistic organization, which has reached its highest point in the present century. Now all signs point to the fact that we are approaching a second change back into another military and imaginative age.

The book is very suggestive ; it presents a theory of history which must

be reckoned with ; and it is remarkable for the skill with which the facts are selected. Its chief defects are a somewhat uncritical use of authorities, a failure to make the bearing of all the details upon the main line of the thought perfectly clear, and its decidedly one-sided treatment of a very complex development.

A Manual of Greek Antiquities, by Percy Gardner, Lincoln and Merton Professor of Classical Archæology at Oxford, and Frank Byron Jevons, classical tutor in the University of Durham (New York, Charles Scribner's Sons, 1895, pp. xii, 736), aims "to compress into a single volume an introduction to all the main branches of Hellenic antiquities — social, religious, and political." It does not supplant the *Dictionary of Antiquities* nor the larger German handbooks, but it gives a connected account of the outlines of the subject. Often it does more. It is, moreover, exceedingly interesting : frequently there is a sense of personal contact with the sources. Necessarily we find a rearrangement of facts that are more or less familiar, but much material will be fresh to the reader who has not followed recent archæological investigations.

Mr. Gardner treats of : The Surroundings of Greek Life ; Religion and Mythology ; Cultus ; The Course of Life ; Commerce. Different subjects are discussed with varying degrees of completeness ; sometimes the treatment will seem too meagre, but students of history will find many discriminating generalizations on men and manners. Books VI.-IX., written by Mr. Jevons, will contain for historical students perhaps even more of interest. The Homeric State, the Spartan, Cretan, and Athenian Constitutions, are treated of at length ; then Slavery and War ; and, finally, in Book IX., The Theatre ; the author defending the old-fashioned belief in the Vitruvian stage.

The Greek student will, it is hoped, be shocked by the false accents. In the first sixty-five pages there are fifteen such mistakes ; *e.g.* on page 48 occur four instances, and it is puzzling, too, to find the *φύλας* there described as made to "hold solids." The wood-cut of the Acropolis (p. 16) — to say nothing of its antiquated character — is blurred, as are some others ; usually the illustrations are judicious and helpful.

Mr. W. H. Buckler's *Origin and History of Contract in Roman Law down to the End of the Republican Period*, the Yorke Prize Essay for 1893 (Cambridge, University Press, 1895, pp. vii, 228), is devoted exclusively to the historical development of the different forms of contract at Rome up to the beginning of the empire, and accordingly the main object is the ascertaining the origin of each form, and the fixing the period in which it attained legal significance. The author is familiar with the best modern authorities, and has summed up clearly and in convenient form many of the accepted opinions. He has also taken occasion to state his own opinions in refutation of many hitherto held, but is not convincing in his theorizing. The regal period and that of the XII Tables naturally afford the best opportunity for

the expression of novel views. Of this he takes advantage, in the regal period, in connection with the origin of *sponsio*, the nature of *nexum*, etc., and concludes the chapter by criticising the statement "that the earliest known contracts were couched in a particular form of words." In the period of the XII Tables one may notice particularly his distinction between *nuncupatio* and *dictum*, his novel view as to the origin of *vadimonium* and the *actio ex causa depositi*. He curiously seems to regard the XII Tables as mainly the creation of new law.

In treating of the contracts of the later republic, Mr. Buckler deals first with the formal ones, then with those of the *jus gentium*, and lastly with certain contracts not classified as such by the jurists. In the first, which affords most opportunity for original speculation, he is least successful. In the second, he finds the origin of *emptio* in the necessary sales and purchases by the state, and a similar origin of *locatio*. All other contractual relations of this period arose later under the edict *Pacta conventa*, and were protected at first by an *actio in factum*, and only later, in most cases, by an *actio in jus*. It may be questioned whether too much importance has not been attributed, in fixing the dates of the legal recognition of the several contracts, to the allusions to, or silence concerning the same, on the part of non-legal writers such as Cicero and Plautus. Still, where authorities are scant, the most must be made of those existing, and the author has certainly been guided by this maxim in treating of this subject full of vexed questions.

Bishop Westcott of Durham has gathered into a little volume certain *Historical Essays* by his predecessor, the late Bishop Lightfoot (London and New York, Macmillan, pp. xiii, 245). The essays are so various as to give a quite miscellaneous character to the volume. The three essays on Christian life in the second and third centuries were read as lectures in St. Paul's Cathedral, and have a homiletic tone. The rehearsal of heroic days was to kindle resolve and ennoble thought. At the same time a scientific purpose chose the period intervening between the supernatural assistance of apostolic inspiration and the secular assistance of alliance with the state to explain the success of Christianity by the vital energy of its own ideas. The facts are all familiar, and the interest lies in the author's evaluation of them, and in the solid merits of his style. A stronger and more adequate exposition of the thesis was perhaps prevented by the restraints of ecclesiasticism. That Christianity won by satisfying the best moral and religious insights of men is an argument only weakened by leaning to Augustine's unhistorical view that Christianity was the only life in a decrepit and dying world. The second and third essays, dealing with the motives of persecution and the superiority of Christian worship, contain just appreciations, but the first, on the moral transformation of society, is most unsatisfactory. The illustrations are the least telling. The absence of infanticide among Christians is unfortunately made an indictment of the moral standards of paganism. Surely many pagan protests could have been

quoted, and the more perfect correspondence of precept and conduct in the Church is linked with the fact that a religion exposed to persecution attracts only the most earnestly moral elements of society. Another instance, opposition to the institution of slavery, is purely imaginary. Christian ideas can be used in behalf of emancipation, but they were not. It is not true that the Church "fearlessly carried this principle" of the equality of all men in Christ, and the institution of slavery was more endangered by Ulpian's dictum, "*jure naturali omnes liberi nascuntur . . . quod ad jus naturale attinet, omnes homines æquales sunt*," than by an assertion of religious equality before God. Had Lightfoot indulged in quotations, only two were possible: the Apostolic Constitutions, IV. 9, which probably means the redemption of Christians who have been reduced to slavery under pagan masters; and Ignatius to Polycarp, IV., which vetoes a wish for emancipation! That Pius, bishop of Rome, had a slave brother is far from certain, and the original servitude of Callistus proves nothing for Church liberality; we only know it as told to his discredit by Hippolytus. Yet, granting the case, the Church did not keep to this standard. Jerome and the bishop of Jerusalem taunt each other with the ordination of slaves, and Leo I. (Ep. IV.) describes such ordination as a pollution of the sacred ministry, and an infringement of the rights of masters.

Of the remaining essays the longest consists of two lectures, delivered at Edinburgh, on England during the latter half of the thirteenth century. The first deals with the political and constitutional history of the period, the second with the history of architecture and of the universities. They are learned, sound, and agreeable discourses, but contain nothing of importance that is either original or profound.

We have received from the University of Minnesota a useful pamphlet of fifty-four pages entitled *Outlines and Documents of English Constitutional History during the Middle Ages*, edited by Professor Charles L. Wells and Mr. F. M. Anderson. The syllabus is one which may with profit be used in other universities. A large number of the documents in Stubbs's *Charters* are here presented in translation. In the bibliographies, it is a misfortune that an alphabetical order is preserved. The pamphlet contains not a few misprints.

The Development of the French Monarchy under Louis VI., Le Gros, 1108-1137. A Dissertation presented to . . . the University of Chicago, in Candidacy for the Degree of Doctor of Philosophy, by James Westfall Thompson, A.B. (Chicago, The University, 1895, pp. xii, 114).—American history undoubtedly offers the easiest and most fruitful field of original investigation for American students. The library facilities that our country affords are so comparatively inadequate to the elucidation of the minuter problems of European history, and our want of manuscript sources is so entire, that the American investigator who cannot transfer the scene of his labors, for a time at least, across the ocean, works at a decided disad-

vantage, as compared with his English or continental colleague, if he attacks a European and especially a mediæval theme. Yet such studies must be undertaken if our graduate schools are to cultivate breadth of historic knowledge as well as accuracy of historic method; and the roll of American writers upon European themes is a sufficient proof that much of value may be accomplished in this field. Dr. Thompson deserves credit for having swerved from the usual path of the American graduate student in history and chosen the more arduous course. On the whole, he has been rewarded with a good degree of success. His sketch of the French monarchy under Louis VI. is a conscientious, painstaking piece of work, based on an extensive acquaintance with the sources and literature of the subject. In especial, his voluminous bibliography is to be commended. His portrait of the French king and his account of the methods by which the royal power was exercised and augmented, give little ground for dissent. But it is Dr. Thompson's misfortune that the special field chosen has been made so fully his own by M. Achille Luchaire, whose elaborate investigations into this portion of Capetian history have appeared in a series of monographs and volumes beginning in 1880, that what was left for the laborious gathering of the American gleaner contains little that is novel. Nor is the writer's treatment of the several heads into which he divides his theme as extensive as it might profitably have been made. This is conspicuously the case in the chapter entitled "Administrative Organization;" and a similar criticism is deserved by that headed "The Liberation of the Realm." Dr. Thompson's own sympathies, it is probable, were most aroused by the rising manifestations of the Third Estate. At all events, his work is to be seen at its best in the section designated "King and Communes; Royalty and the Popular Classes." The essay under review has worth in itself; but its highest value is as a promise of yet better things in the future from its author.

W. W.

The King's Peace, by F. A. Inderwick, Q.C. (New York, Macmillan and Co., 1895, pp. xxiv, 254), is the second in the Social England series, edited by Mr. Kenelm D. Cotes. In this book, Mr. Inderwick has presented a sketch of the English courts of law, their officers, jurisdictions, and procedure. The history of the courts is divided by the author into five periods, marked by the dominance, alternately, of the principle of centralization and decentralization, by the existence of national or local courts, of uniform or varied powers. The special topics discussed are the courts of general jurisdiction, of local jurisdiction, of special jurisdiction, as the manorial courts, the forest courts, the admiralty courts, and the Star Chamber; the officers of the courts,—the chancellor, the justiciar, the barons, and the serjeants-at-law; and the procedure,—by compurgation, by ordeal, and by torture.

The value of the book is qualified by the character of the premises: That the English law, the English peace, is the King's law and the King's peace, is the theory of the older jurists. Happily, however, the text is

not followed, and it is in other and minor matters that the author's legal conservatism is especially observable. In the discussion of the forest courts and law, in particular, he maintains the validity of the Forest Charter of Cnut, Dr. Liebermann to the contrary notwithstanding. Again, in the discussion of the influence of the Roman law upon English law, he hazards a doubt, in spite of Mr. Maitland's recent assurances on that subject.

In spite of these failures, the failures rather of a legal antiquarian than of an historian, the book will possess a value and an interest for the general reader, an interest enhanced by several well-chosen illustrations, and a value increased by the presentation of a short bibliography.

In a little cardboard-bound volume of 114 pages, among the Publications of the University of Pennsylvania (Series in Philology, Literature, and Archæology, Vol. IV., No. 2), Professor E. P. Cheyney has brought together, arranged, and commented on almost every scrap of printed information concerning the rural changes in England in the Tudor period (*Social Changes in England in the Sixteenth Century, as reflected in Contemporary Literature*. Part I. *Rural Changes*). He has had the happy idea of adding a reproduction, in miniature, of one of the Oxfordshire open-field maps, published in 1889, by the Clarendon Press, at the instance of the late Mr. Mowat, but already very difficult to get hold of; and of adding, also, a reproduction of an excellent photograph, recently taken by himself, of an open-field still existing near Coblenz. These are welcome reinforcements to the maps in Mr. Seebohm's *English Village Community*; and may, we will hope, penetrate to "purely literary" circles, where Mr. Seebohm is perhaps unknown.

The publication is one among many recent indications of the growing interest in the economic side of history; and it forms an excellent introduction to the subject. But it could be wished that Professor Cheyney had not shown quite so much tender mercy for the literary students as to refrain almost entirely, as here he does, from expressing his own opinion on some of the legal and economic questions, still under discussion, in regard to the enclosure movement. On the former, he would have got some help from Professor Maitland's *History of English Law*, and on the latter from Professor Hasbach's *Die englischen Landarbeiter*. W. J. A.

An attractive little volume is issued in limited edition by George H. Richmond and Co., of New York, under the title *A Letter written on October 4, 1589, by Captain Cuellar of the Spanish Armada to his Majesty King Philip II., recounting his Misadventures in Ireland and elsewhere after the Wreck of his Ship* (pp. x, 109). The book is labelled *Spanish Armada Tract Number 1*, but no announcement is made respecting subsequent issues, nor respecting the scope of the series. This first tract is translated by Henry D. Sedgwick, Jr., from the Spanish text given in Captain Fernandez Duro's *La Armada Invencible*. The letter is a very interesting one,

and gives a graphic picture of the demoralization of the Armada as it made its fatal attempt to circumnavigate Scotland and Ireland, and of the sufferings of the multitudes who were wrecked on the Irish coast. Cuellar was wrecked in O'Rourke's country, and with many romantic adventures made his way to that of O'Cahan, where he finally found ship for Scotland. His picture of the condition of Ireland is sufficiently horrible. "To sum up," he says, "in that country there is neither justice nor right, and everybody does what he likes. These savages liked us very much, for they knew that we were great enemies to the heretics and had come against them, and had it not been for them, not one of us would now be alive. We were very grateful to them for this, although they were the first to rob and plunder those of us who reached the land alive."

Mr. C. H. Firth has put the world greatly in his debt by bringing to light interesting manuscripts long lying obscure in the library of Worcester College, Oxford. Chief among these are the papers of William Clarke, secretary to the Council of the Army, 1647-1649, and to General Monck and the commanders of the army in Scotland, 1651-1660, which Mr. Firth edited for the Camden Society. The *Journal of Joachim Hane, 1653-1654* (Oxford, B. H. Blackwell; London, T. Fisher Unwin, 1896, pp. xxxii, 103), another find of Mr. Firth's in the library of Worcester College, has but small worth as compared with the Clarke Papers. Hane was a German military engineer, attached to Cromwell in the latter years of the Civil War, and employed by him at last in secret service in France. In that country he spent some months, during which sojourn, becoming discovered, he underwent the most painful trials, living constantly in danger of torture and death. After his return to England he described his adventures in the record now for the first time brought forth and printed.

Little interest attaches to the figure of Hane. He was a foreign soldier who at the close of the Thirty Years' War, like hundreds more, drifted across to England, where fighting was still going on. The record shows him to have been pious after the fashion of the time; he was trustworthy and had skill in his profession. He was quite untouched, however, by any of the greatness which marked some of the figures in daily contact with him. The *Journal* forms a pendant, appropriate enough, to the Clarke Papers, but deserves no large amount of attention. For such a hand as that of Mr. Firth, the careful introduction and notes seem like labor hardly well bestowed.

J. K. H.

It is not altogether easy to decide upon the amount of attention that a historical review ought to give to *The Life and Writings of Turgot, Comptroller-General of France, 1774-1776*, "edited for English readers" by W. Walker Stephens (London, Longmans, Green and Co., 1895, pp. ix, 331). With the aid mainly of Condorcet's and M. Léon Say's biographies, of the editions of Turgot's works by Dupont de Nemours and Daire, and of the general histories of France, Mr. Stephens has put together, in workman-

like fashion and readable form, a brief (155 pp.), and of course sketchy life of Turgot, with abundant quotations from his authorities. To this is appended a translation of certain "Selected Writings of Turgot," including the larger part of the *Éloge de Gournay*. It cannot but be regretted, in spite of the reasons here assigned (p. 229), that Mr. Stephens did not see fit to give us a translation of the *Réflexions sur la Formation et la Distribution des Richesses*; for that, reprinted in 1859, in one of the Overstone volumes of Economical Tracts, is practically inaccessible to most students.

There is thus absolutely nothing original in Mr. Stephens's volume, and even for the English reader unable to use French books, little that he will not find in Mr. Morley's essay, and Mr. Masson's translation from M. Léon Say. Mr. Stephens, moreover, shows no great knowledge of eighteenth-century French thought in general, or of economic thought in particular; and he has missed an excellent opportunity to give us a *résumé* in English of the literature that has recently grown up—at the hands chiefly of Professor Oncken—concerning the Physiocratic group to which Turgot belonged. Nevertheless the book makes no pretence to be what it is not; it is written with a sympathy which ought to prove contagious with those who take it up knowing nothing of its subject; and in any college where classes study French history or the history of political economy, without being able to read French,—and we cannot but fear that such cases are not unknown,—it will be interesting and therefore useful. W. J. A.

M. Anatole Leroy-Beaulieu (*Israel among the Nations; a Study of the Jews and Antisemitism*, translated by Frances Hellman; New York, G. P. Putnam's Sons, 1895, pp. xxiii, 385) has studied the Jew for the noblest of purposes. A disciple of him who said *Beati pacifici*, he writes to promote the advent of a kingdom which is "peace through justice" for all classes and all individuals. Reciting the modern emancipation of the Jews after the initiative of France in 1791, he estimates the present distribution and movement of this population, and proceeds to show the folly of the present revival of antagonism to the people thus recently made conspicuous by the free exercise of their talents. This antagonism has the triple strength of religious intolerance, national or racial exclusiveness, and mercantile competition. The economic aspect is here neglected with the promise of another volume on "the rôle played by money among the nations of to-day."

M. Leroy-Beaulieu has an easy task in showing the groundlessness of religious apprehensions concerning Judaism, and neatly confounds the dread felt for Jews as dangerous to national ideals by showing that the identification of religious and national unity is a lower—Oriental and Slavic—stage of development, which western Europe outgrew in the experiences of the sixteenth and seventeenth centuries. The superstition is thus reduced to one remaining element; our author divides in order to conquer.

The racial antagonism is then undermined by attempting to show that

Jewish blood belongs to all Western peoples and that the Jews have a large admixture of Aryan stock. These positions are finely strategic, but the campaign after all has rather the air of a prolonged skirmish. Most readers have patience for a little more system and consecutiveness along with the epigrammatic diversion. Moreover, Mr. Flinders Petrie's recent discussion of the meaning of race suggests that M. Leroy-Beaulieu has not succeeded in performing "the vanishing trick" with the Jewish race.

Since Antisemitism has no substantial basis, how has it come to pass? The author claims to write both as a Christian and a Frenchman, and we are not surprised that this disturbance in "the Europe of the Hohenzollerns" (p. 370) is no mere case of atavism. The craze started in Germany in 1879. It is a *Kulturkampf*. It was the retort of German Catholicism in the anticlerical campaign, led by Berlin journals under Jewish editors. "Make front against Rome" was answered by "Make front against New Jerusalem," and the cry was then caught up by Prussian Protestants and passed to the priests of Russia and the Catholics of Austria and France. It is a blundering diagnosis of the malady of institutional decay, and the blunder is in origin the offspring of "Teutonic pride." Possibly the promised volume on the money power will elucidate this.

Several admirable and entertaining chapters discuss the physical, mental, and moral traits and aptitudes of the Jew, arguing that the peculiar differentiation of the Jew is largely due to enforced isolation in the past, and that Jewish particularism must vanish in the process of free assimilation to national organisms. For the Judaism that would survive only as a cosmopolitan religion, M. Leroy-Beaulieu has the noblest sentiments of respect and good-will.

F. A. C.

The Directors of the Old South Work have served the convenience of many libraries, students, and teachers of history by putting their valuable series of *Old South Leaflets* into bound volumes, each volume containing twenty-five leaflets. Two volumes have now been made up. The usefulness of the series is perceived anew upon a glance at these fifty issues. Without specifying the many documents which have been printed in order to illustrate topics of local history or other special topics from time to time taken up in the Old South courses, it may suffice to enumerate those which illustrate the constitutional history of the United States: the Constitution, the Articles of Confederation, the Declaration of Independence, Vane's *Healing Question*, the Charter of Massachusetts Bay, the Fundamental Orders of Connecticut, Franklin's Plan of Union, the Ordinance of 1787, and the essential constitutional documents of the period of the English Commonwealth, such as the Petition of Right, the Grand Remonstrance, the Scottish National Covenants, the Agreement of the People, and the Instrument of Government. Historical and bibliographical notes accompany each number.

M. René de Kerallain's *La Jeunesse de Bougainville et la Guerre de Sept Ans* (privately reprinted from the *Revue Historique*, Paris, 1896,

pp. 190) is an answer to what the author thinks the misleading statements of the Abbé Casgrain. While serving in Canada, Bougainville wrote numerous letters, a journal, and memoirs, in all of which he speaks in disparaging terms of the Canadian military and civil service. The officers, he says, were ignorant of the art of war as known in Europe, they allowed by their negligence, if they did not encourage, the atrocious massacres by the Indians of English prisoners; and corruption ruled in the commissariat department to such an extent that the French troops were on the verge of starvation. Bougainville even accuses (erroneously) the Governor, the Marquis de Vaudreuil, a Canadian by birth, of sharing in this robbery. The Abbé Casgrain, an ardent Canadian patriot, in his *Montcalm et Lévis* and in some volumes of documents edited by him for the Quebec government, turns the attack upon Bougainville, whom he describes as a Jansenist, a gambler, a roué, and more. M. de Kerallain, writing on behalf of the descendants of Bougainville, excuses his late reply because, as he hints designedly, the Abbé's book has only recently become known in France. Probably, however, no one regrets more than the Abbé the tardy interest that the French have shown in his work. He is said now as an editor to have been careless about securing a pure text, to have arranged his documents uncritically, and to have added too few notes; as an author to copy Parkman servilely, to make unfulfilled claims to original research, and above all to show peculiar venom towards Bougainville. This is especially evident, M. de Kerallain thinks, in the charge that Bougainville was to blame for the massacre of the English sick and wounded at Fort George, and he now shows that Bougainville was a junior officer there and in no way responsible for what was done. The author writes angrily, but is master of the literature of his subject and gives copious citations of authorities. The numerous letters of Bougainville, some now printed for the first time, show him as an affectionate relative, a keen observer, a piquant writer, and a high-minded soldier. M. de Kerallain promises a complete history of Bougainville's long and varied career.

G. M. W.

The American Jewish Historical Society has issued No. 4 of its *Publications*, containing papers presented at the third annual meeting, held at Washington, in December, 1894. Two of the papers are of much interest, those of Dr. Cyrus Adler on the trial of Jorge de Almeida by the Inquisition in Mexico, and of Dr. George A. Kohut on Jewish Martyrs of the Inquisition in South America; the rest are of little importance. Dr. Adler describes, from manuscript materials found in a book-store in Washington, the trial of a Jew, who, in 1609, having fled, was condemned in his absence by the Holy Office at Mexico and burned in effigy. The documents give an interesting picture of the position and life of the Marranos in that city. Dr. Kohut's paper contains a large amount of learned and interesting matter, but conveys it in a confused order and with little regard to the distinction between original and second-hand authorities.

Mr. William F. Boogher of Washington, D.C., issues, in a volume under the title of *Miscellaneous Americana* (W. F. Boogher, Room 6, 1339 F Street, Washington; or Dando Publishing Co., 34 South Third Street, Philadelphia), a number of historical pieces which had been originally intended for issue in monthly parts. A large part of the volume consists of documents, many of which are of extreme interest. Among these may be signalized the will of Robert Morris of Oxford, Md. (father of the financier); a letter of Samuel Allinson of Burlington, N.J., to Elias Boudinot, in relation to the testimony of Quakers against negro slavery; a letter of Gouverneur Morris regarding the opening of the States-General; a letter of the London printer, William Strahan, written in 1770; a long letter of Hugh Hammersley to Governor Sharpe of Maryland (1767). Mr. Henry Phillips, Jr., contributes a considerable number of extracts from English magazines of 1731 and 1732 relating to America and especially to the southernmost colonies. Several letters written by Mrs. John Jay in Spain and France to Mrs. Robert Morris (1780-1783) have also a certain interest as a picture of European society as it presented itself to the mind of an American lady. Of the original articles which are included in the miscellany, the greater number are connected with the history of Philadelphia and the surrounding region. An exception is Mr. Edward Ingle's article on "The Parish in Virginia," but this appeared in 1885 in the Johns Hopkins University Studies.

No accessible collection of material relating to the political history of the thirty years succeeding the Revolution (aside from those in the library of the Department of State) is so important as the mass of Pickering Papers possessed by the Massachusetts Historical Society. The Society has performed a service of inestimable value to careful students of this period by printing, as Vol. VIII. of the Sixth Series of its Collections, an *Historical Index* to these papers. The index has been prepared upon an admirable plan and with consummate care. It makes a volume of 580 pages, containing an abstract of every letter, with an entry under every important subject alluded to therein. The entries of subjects, of persons writing to Colonel Pickering, and of persons to whom he wrote, are all embraced in one alphabetical arrangement, but with such typographical distinctions as make it easy to determine to which of these three classes the entry belongs. The indexing was performed by Miss Harriet E. Green, under the direction of a committee of which the late Mr. Edward J. Lowell was chairman, but which finally consisted of Messrs. C. C. Smith, A. L. Lowell, Roger Wolcott, and S. F. McCleary. The manuscript collection indexed consists of 58 volumes, illustrating with great fulness the history of events in the Revolutionary War connected with the offices of adjutant-general and quartermaster-general, of affairs in the Wyoming valley after the war, of the business of the postmaster-general, secretary of war, and secretary of state during Colonel Pickering's tenure of those offices, and of federal politics during a long period.

The Government Printing Office has begun the issue of the *Official Records of the Union and Confederate Navies in the War of the Rebellion*. The work of preparation has been going on since 1884. The plan of publication contemplates the issue of three series. The first is to embrace the reports, orders, and correspondence, both Union and Confederate, relating to all naval operations on the Atlantic and Gulf coasts and inland waters of the United States during the Civil War, together with the operations of vessels acting singly, either as cruisers or privateers, in different parts of the world. The second series is to embrace the reports, orders, and correspondence relating to the administration of naval affairs, such as the construction and outfit of the two navies, matters relating to naval captures and prisoners, etc. The third series is to embrace papers not belonging to the first two. The first series is to consist of seven principal divisions, relating respectively to the operations of the cruisers during the war, to the initial operations in the Gulf of Mexico, to the initial operations on the Atlantic coast, to the operations on the Potomac and Rappahannock rivers during the whole war, to the history of the Atlantic blockading squadrons, to that of the Gulf blockading squadrons, and to the operations on the Western rivers. Two volumes have now been issued, designated respectively as *53d Congress, 3d Session, House Misc. Doc. 58*, and *54th Congress, 1st Session, House Doc. 36*. The former presents in 890 pages the papers relating to the operations of the Union and Confederate cruisers down to the end of the year 1862, the latter (921 pages) continues the same to the end of March, 1864.

A little volume of extraordinary interest to the student of American social history is that of Judge John H. Stiness, entitled *A Century of Lotteries in Rhode Island, 1744-1844*, published as No. 3 in the second series of Mr. S. S. Rider's *Rhode Island Historical Tracts* (Providence, 1896, 123 pp.). Though it is certain that lotteries existed as early as 1733, definite knowledge of them begins with that authorized by the General Assembly in 1744. The narrative closes with the winding-up of the last lottery by reason of prohibitions in the constitution of 1842. The author's careful research reveals between these dates a number of lotteries so enormous as to raise his theme into a subject of the greatest importance in the social history of the state. That Rhode Island was in a peculiar degree infested with these enterprises is not probable (she was the fourth state to prohibit them), yet the author shows that in the first twenty-five years, few and poor as were the inhabitants, the grants amounted to \$1,250,000. In the three years from 1827 to 1830 they were over \$4,000,000. Churches and educational institutions and public improvements of all sorts figure in the pages as the beneficiaries of the grant. Fac-similes of a great variety of lottery tickets, beginning with that of 1744, illustrate the monograph.

Mr. C. W. Raines, formerly librarian of the State Library of Texas, has placed all students of Southwestern history under great obligations by his *Bibliography of Texas* (Austin, Gammel Book Co., pp. 268), in which he

catalogues an enormous number of books and pamphlets relating to Texas, and furnishes a complete collation of the laws of the Republic and State. Beside titles bearing upon Texan history, a great many titles of books written by Texans or printed in Texas are included. Yet since manifestly not all such are included, it is hard to say whether the plan of the book is that of a historical or of a general bibliography. Neither the title nor the preface gives a clear idea of the author's plan. The work has been done with great industry and zeal, and the book will be indispensable to all who work in Texan history. Yet no careful student will fail to wish frequently during his use of it, that it had been made with more accuracy and with more knowledge of the refinements of bibliography. Examination shows many cases in which even the alphabetical order is not perfectly preserved; there is hardly a Spanish title in the book in which there is not a misprint; and the same must be said of many of the French and German titles. Other errors and infelicities are not uncommon. The book is clearly printed.

BIBLIOGRAPHICAL

I. New England Town Records.

[The following list of printed volumes of New England town records is printed because of its interest to the student of the history of local institutions, and in the hope of encouraging still other communities in New England and elsewhere to engage in the useful and important work of preserving their historical records. It cannot be hoped that the list is absolutely complete. The list for Massachusetts, however, which has been supplied by the kindness of Robert T. Swan, Esq., Public Record Commissioner, is probably perfect. It is not known to the compiler that any towns in Maine or Vermont have published their records, or have begun their systematic publication; but it is understood that the city of Saco intends to take this step, and that its first volume will soon appear. Of extracts published in town histories, etc., the following list makes no account.]

NEW HAMPSHIRE.

Concord. Concord Town Records, 1732-1820. Printed by authority of Joint Resolutions passed by the City Council, April 9, 1889, and February 13, 1894. Concord, 1894.

MASSACHUSETTS.

Amherst. Records of the Town of Amherst, from 1735 to 1788. Reprinted from the *Amherst Record* of 1883-1884. Edited by J. F. Jameson. Amherst, 1884.

Messrs. Carpenter and Morehouse are about to issue volumes containing the records of the town from 1735 to 1800.

Boston. Reports of the Record Commissioners:—

First. Tax Lists and Lists of Inhabitants prior to 1700. 1876. Second Ed., 1881.

Second. Boston Records, 1634-1660, and the Book of Possessions. 1877. Second Ed., 1881.

Third. Charlestown Land Records, 1638-1802. 1878. Second Ed., 1883.

Fourth. Dorchester Town Records. 1880.

Fifth. "Gleaner" Articles. Contributed to the Boston *Daily Transcript* in 1855 by the late Nathaniel Ingersoll Bowditch, under the signature of "Gleaner." 1880.

Sixth. Roxbury Land and Church Records. 1880.

Seventh. Boston Town Records, 1660-1701. 1881.

Eighth. Boston Town Records, 1700-1728. 1882.

- Ninth.* Boston Births, Baptisms, Marriages, and Deaths, 1630-1699. 1883.
- Tenth.* Miscellaneous Papers: Will of Robert Keayne; Admissions to the Town of Boston; Tax Lists, 1691-1693; Abatements of Taxes, 1700-1702; Establishment of the Poor Fund; Census of 1707; Reprint of Boston Directories, with maps, 1789, 1796, etc. 1886.
- Eleventh.* Records of Boston Selectmen, 1701-1715. 1884.
- Twelfth.* Boston Town Records, 1729-1742. 1885.
- Thirteenth.* Records of Boston Selectmen, 1716-1736. 1885.
- Fourteenth.* Boston Town Records, 1742-1757. 1885.
- Fifteenth.* Records of Boston Selectmen, 1736-1742. 1886.
- Sixteenth.* Boston Town Records, 1758-1769. 1886.
- Seventeenth.* Selectmen's Minutes, 1743-1753. 1887.
- Eighteenth.* Boston Town Records, 1770 through 1777. 1887.
- Nineteenth.* Selectmen's Minutes from 1754 through 1763. 1887.
- Twentieth.* Selectmen's Minutes from 1764 through 1768. 1889.
- Twenty-first.* Dorchester Births, Marriages, and Deaths to the end of 1825. 1890.
- Twenty-second.* Statistics of the United States' Direct Tax of 1798, as assessed on Boston; Names of the Inhabitants of Boston in 1790, as collected for the First National Census. 1890.
- Twenty-third.* Selectmen's Minutes from 1769 through April, 1775. 1893.
- Twenty-fourth.* Boston Births, 1700-1800. 1894.
- Twenty-fifth.* Selectmen's Minutes, 1776 through 1786. 1894.
- Twenty-sixth.* Boston Town Records, 1778-1783. 1895.
- Braintree. Records of the Town of Braintree, 1640-1793. Edited by Samuel A. Bates. Randolph, 1886.
- Brookline. Muddy River and Brookline Records, 1634-1838. By the inhabitants of Brookline, in town meeting. 1875.
- Town Records of Brookline, Mass., 1872-1884. Published by vote of the town. 1888.
- Brookline Town Records, 1838-1857; same, 1858-1871. 1892.
- Cambridge. The Regestere; Booke of the Lands and Howses in the Newtowne 1635. Cambridge, 1896.
- Dedham. The Records of Births, Marriages, and Deaths, and Intentions of Marriage, in the Town of Dedham. Vols. I. and II. With an appendix containing records of marriages before 1800, returned from other towns, under the statute of 1857. 1635-1845. Edited by Don Gleason Hill, town clerk. Dedham, 1886.
- A Memorial Volume. The Record of Baptisms, Marriages, and Deaths, and Admissions to the Church and Dismissals therefrom, transcribed from the Church Records in the Town of Dedham, Mass., 1638-1845. Also all the epitaphs in the ancient burial-place in Dedham, together with the other inscriptions before 1845 in the three parish cemeteries. Edited by Don Gleason Hill. Dedham, 1888.

- An Alphabetical Abstract of the Record of Marriages in the Town of Dedham, Mass., 1844-1890. Arranged under the names of grooms, with an index of brides. Compiled by Don Gleason Hill. Dedham, 1896.
- Groton. The Early Records of Groton, 1662-1707. Edited by Samuel A. Green, M.D. 1880.
- Lancaster. The Early Records of Lancaster, Mass., 1643-1725. With map. Edited by Henry S. Nourse, A.M. Lancaster, 1884.
- The Birth, Marriage, and Death Register, Church Records and Epitaphs, of Lancaster, Mass., 1643-1850. Edited by Henry S. Nourse, A.M. Lancaster, 1890.
- Manchester. Town Records of Manchester, from the earliest grants of land, 1636, when a portion of Salem, until 1736, as contained in the Town Records of Salem, Second and Third Book of Records of the Town of Manchester. Salem, 1889.
- Town Records of Manchester from 1718 to 1769, as contained in the "Commoners' Records" and the Fourth Book of Town Records from 1736 to 1786. Salem, 1891.
- Plymouth. Records of the Town of Plymouth. Published by order of the town. Vol. I., 1636-1705. Plymouth, 1889.
- Records of the Town of Plymouth. Published by order of the town. Vol. II., 1706-1743. Plymouth, 1892.
- Weston. Records of the First Precinct, 1746-1754, and of the Town, 1754-1803. Edited by Mary Frances Peirce. Boston, 1893.
- Records of the Town Clerk, 1804-1826. Edited by Mary Frances Peirce.
- Woburn. Woburn Records of Births, Deaths, and Marriages, from 1640 to 1873. Part 1. Births. Alphabetically and chronologically arranged by Edward F. Johnson. Woburn, 1890.
- Part 2. Deaths. With transcript of epitaphs in Woburn first and second burial-grounds. By W. R. Cutter and E. F. Johnson. Woburn, 1890.
- Part 3. Marriages. Alphabetically and chronologically arranged by Edward F. Johnson. Woburn, 1891.
- Woburn Records of Births, Deaths, and Marriages. Part 5. Deaths, 1873-1890. Alphabetically and chronologically arranged by Edward F. Johnson. Woburn, 1893.
- Worcester. Early Records of the Town of Worcester. Book 1, 1722-1739. Edited by Franklin P. Rice. In Worcester Society of Antiquity Collections, Vol. II. Worcester, 1879.
- Same. Book 2 (in same vol.), 1740-1753. Worcester, 1880.
- Records of the Proprietors of Worcester. Edited by Franklin P. Rice. In Worcester Society of Antiquity Collections, Vol. III. Worcester, 1881.
- Town Records from 1753 to 1783. Edited by Franklin P. Rice. In Worcester Society of Antiquity Collections, Vol. IV. Worcester, 1882.

Town Records, 1784-1794. Edited by Franklin P. Rice. Nos. 28 and 29 of the Worcester Society of Antiquity Collections. Worcester, 1890.

Town Records, 1795-1816. Edited by Franklin P. Rice. Nos. 30 to 34 Worcester Society of Antiquity Collections. Worcester, 1891, 1892.

RHODE ISLAND.

Providence. The Early Records of the Town of Providence. Vol. I. The First Book of the Town of Providence (1633-1712). Printed under authority of the City Council, by Horatio Rogers, George M. Carpenter, and Edward Field, Record Commissioners. Providence, 1892.

Same. Vol. II. The Second Book of the Town. (Meetings, 1642-1661). 1893.

Same. Vol. III. Part of the Third Book. (Meetings, 1661-1673.) 1893.

Same. Vol. IV. Part of the Third Book. (Meetings, 1673-1676; Deeds, 1656-1707.) 1893.

Same. Vol. V. Part of the Third Book. (Deeds.) 1894.

Same. Vol. VI. Part of Will Book No. 1. (Wills, 1678-1709.) 1894.

Same. Vol. VII. Part of Will Book No. 1. (Wills, 1689-1716.) 1894.

Same. Vol. VIII. (Town Meetings, 1676-1691.) 1895.

Same. Vol. IX. (Miscellaneous, 1678-1750.) 1895.

CONNECTICUT.

Stamford. Registration of Births, Marriages, and Deaths, including every Name, Relationship, and Date now found in the Stamford Registers from the first Record down to the year 1825. By Rev. E. B. Huntington, A.M. Stamford, 1874.

2. The Burton Historical Collection.

[The following account of a library which, though of private ownership, is freely made accessible to students, has been kindly prepared by Mr. William D. Johnston of the University of Michigan.]

The Burton Historical Collection is located in a fire-proof building erected for that purpose by Mr. C. M. Burton, in the city of Detroit. It was commenced by Mr. Burton in 1871, and has been carried on with the assistance of copyists, one of whom is now engaged at Columbus, Ohio; others at West Point, at Washington, and at Montreal; and others at the churches of St. Anne, Detroit, and l'Assumption, Sandwich, Ontario. Copyists are also employed at Paris and at London under the supervision

of Mr. B. F. Stevens. The purpose of the collector has been to secure the materials for the histories (1) of Detroit, (2) of the Northwest, (3) of North America, and (4) of England as they relate to the history of Detroit and the Northwest. There is contained in the collection at present the following :—

I. Detroit History. 1. Public documents: notaries' records, 1689-1710; city charters, annual reports, common council proceedings, and miscellaneous municipal publications.

2. Church records: St. Anne, 1703-1895 (manuscript); l'Assumption, 1756-1895 (manuscript); church reports.

3. Newspapers: *Detroit Gazette*, 1816-1830 (type-written copy); *Courier*, 1831; *Free Press*, 1831-1896; *Journal*, from 1831 to date, under various titles.

4. Family papers and correspondence: Cadillac Papers, copied from the Paris archives (manuscript); correspondence of Alexander Henry, Alexander Grant, John Askin, James McGill, Isaac Todd, 1760-1816; of General John R. Williams, first mayor of Detroit, 63 volumes, 1800-1854; James A. VanDyke and Halmer H. Emmons, 1830-1870; Ferdinand C. Rivard, 1747-1840; Charles B. Chauvin, 1800-1875; Denis and Theodore Campau, 1840-1880; Joseph Vissier, dit Laferté, 1750-1780; James Abbot, first postmaster, 1780-1840; letters by Robert Rogers, 1755-1764; Joseph Brant, and the Moravian preachers, Heckewelder, Zeisberger, Senseman, and others, including Indian preachers conveying the northwestern portion of Ohio and the southeastern portion of Michigan.

5. Miscellaneous matter: annual reports of local societies, Masonic, etc., photographs of prominent citizens, and broadsides.

II. Northwestern History. 1. Public documents: laws of the Northwest Territory, Michigan state laws, Michigan House and Senate journals and joint documents, and the Cass Code.

2. Travels: Mackenzie, 1789-1793; Potherie, 1534-1723; La Hontan, 1683-1694; Carver, 1784; Honiton, 1685; Henry, 1760-1776; Collot, 1795; Champlain, 1615; Frontenac, 1696; Kalm, 1748; Schoolcraft, 1820; *Jesuit Relations*, 1632-1672; *Discovery of Canada*, 1534-1542; *Mémoire sur le Canada*, 1749-1750; Abbé Faillon's *Canada*.

3. Newspapers: (fugitive), *Western Herald*, 1838; *Constitutionalist*, 1837; *Piqua Gazette*, Ohio, 1825; *Crisis*, 1849, etc.

4. Historical Societies: various complete sets.

5. Magazines: various complete sets.

6. Maps and atlases, 1680 to date.

III. North American History. 1. Travels, various.

2. Diaries: various, printed; Commissary Willson's orderly book, 1759, (manuscript); General Anthony Wayne's orderly book, seven vols. (manuscript).

3. Publications of historical societies, election sermons, newspapers, magazines, and other Americana, including several rare editions of *McFingal*.

IV. **English History.** This embraces (1) miscellaneous matter illustrative of relations with America, (2) a valuable collection of English histories, including some rare editions, and (3) several collections of tracts relative to the *Eikon Basilike*, the Sacheverell trial, and the Junius letters.

The library numbers about 8000 volumes and 8000 pamphlets, together with unclassified letters and documents of local interest and value, unprinted, to the number of about 25,000. These when arranged will afford rare facilities for the further study of Northwestern, and especially Detroit, history.

NOTES AND NEWS

The Rev. John Owen, author of *Evenings with the Skeptics* (1881), *The Skeptics of the Italian Renaissance* (1892), and *The Skeptics of the French Renaissance* (1893), died on February 6, at the age of 63.

The Italian historian Giuseppe di Leva, born at Zara in 1821, and especially known by his *Storia commentata di Carlo V. in Correlazione all' Italia*, died at Padua on November 29.

Johannes Overbeck, the distinguished archaeologist, born at Antwerp in 1826, died on November 8 at Leipzig. His *Geschichte der griechischen Plastik* was his most famous work.

Alexandre Henne, Belgian historian, best known by his excellent *Histoire du Règne de Charles-Quint en Belgique* (1858-1860) died on January 10, aged 84.

Henri van Laun, author of two volumes on the *French Revolutionary Epoch*, published in 1879, died in London on January 19, at the age of 76.

The American Historical Association held its eleventh annual meeting at Washington on December 26 and 27. Senator George F. Hoar, president of the Association for 1895, took as the subject of his address, Popular Discontent with Representative Government. Thirty-two other papers were upon the programme. Thirty of these were appointed for December 27. The result of this congestion was that in the forenoon the experiment was tried of maintaining two simultaneous sessions in adjoining halls, one section being devoted to American colonial history, the other to American political history of periods subsequent to 1775. The experiment was not wholly successful. The papers, which it is impossible for us to enumerate, exhibited in a gratifying measure the activity and variety of the researches in American history which are progressing under academic auspices, or as the result of academic impulse, and in particular made it plain that, whatever be the case with the general public, the serious historical students of the country are fully alive to the importance of researches in the field of post-revolutionary history. Yet one who compares the proceedings with those of similar gatherings in Europe will be surprised to see how much less the mind of American historical students is directed toward those problems of economic history which of late so largely occupy historical students and conventions in Europe, although economic factors may well be thought to have exercised a more powerful influence upon the history of the United States than of older lands. Papers which attracted

especial attention were those of Professor H. L. Osgood, proposing a new classification of colonial governments ; of Dr. Herbert Friedenwald, on the Journals of the Continental Congress ; of Professor W. H. Siebert, on the Underground Railroad ; of Professor B. S. Terry, on the political aspects of the Homestead Law agitation ; of Dr. A. C. Coolidge, on the study of the history of Northern Europe ; and of Dr. Frederic Bancroft, on the French in Mexico and the Monroe Doctrine. Dr. Richard S. Storrs was elected president for the next year, Mr. James Schouler and Professor George P. Fisher, vice-presidents ; Professor H. Morse Stephens and Professor Frederick J. Turner were added to the executive council. A vote which will be welcomed by many appointed New York as the next place of meeting, the dates being December 29, 30, and 31, 1896.

The income of the Association considerably exceeding its expenses, the executive council have resolved to spend some of its future revenues in the promotion of historical investigation upon definite lines. They have instituted a Historical Manuscripts Commission which, like the English commission of similar name, will prepare reports upon original unprinted materials in various parts of the country, relating to the history of the United States. Calendars of these manuscript sources will be published, especially in the case of documents which are in private hands and therefore do not fall within the field of operations of the Bureau of Rolls and Library, nor within the scope of state-archive publications. If the work of the commission is successfully conducted, its establishment must surely be regarded as a step of great importance in the promotion of scholarly research in American history. The commission is to consist of Professor J. Franklin Jameson, chairman ; Dr. Douglas Brymner, archivist of the Dominion of Canada ; Talcott Williams, Esq., of Philadelphia ; Professor William P. Trent, of the University of the South, and Professor Frederick J. Turner, of Wisconsin.

The executive council has also voted to offer a prize of \$100 for the best monograph based upon original investigation in history submitted to the council during the coming year, university dissertations excluded, and to print the best five or six of the monographs thus submitted, if of an approved degree of excellence ; also to establish a gold prize medal of the value of \$100, to be awarded at suitable intervals for the best completed work of research in history published in this country through the ordinary channels of publication. The first award will be made to some book published after January 1, 1896 ; succeeding awards only to works published, in each case, since the last preceding award. The intervals will probably be about three years.

The Report of the Association containing the papers read at its meeting of December, 1894, has not yet appeared.

An important announcement in the field of historical geography is that of Fr. Schrader's *Atlas de Géographie Historique*, just published by Hachette. The atlas consists of 167 colored maps on 55 sheets, accom-

panied by much historical letter-press containing 115 maps and plans in black and white inserted in the text, and by an alphabetical index of names. The price of the atlas, bound, is 35 fr., and each map is sold separately. The high quality of this new book of reference is made evident by the list of collaborators. The maps and text for the earlier periods of ancient history have been under the charge of M. G. Maspero; those for Greece have been prepared by M. Haussoullier; those for Rome by M. P. Guiraud; those for Gaul and Mediæval France by M. A. Longnon. Other collaborators have been MM. L. Cahun, Bourgeois, Debidour, Rambaud, Sorel, and Waddington, while MM. E. Lavis and H. Lemonnier have had a general editorial supervision of the work.

The *Deutsche Zeitschrift für Geschichtswissenschaft* is announced to appear with regularity, beginning April 1, 1896, under the editorial care of Professors G. Buchholz, K. Lamprecht, E. Marcks, and G. Seeliger, the latter being the managing editor. It will be published by J. C. B. Mohr (P. Siebeck), at Freiburg i. B. and Leipzig. The plan of publication contemplates the issue of quarterly parts, each of eight sheets, containing the body articles and bibliography of German history, and of monthly parts of two sheets each containing the reviews and notes and news.

Soon after the publication of the first number of the *Revue Internationale des Archives, des Bibliothèques, et des Musées* it became necessary to reorganize the managing committee, which will henceforth consist of M. A. Giry, of the École des Chartes, as chairman, and MM. Langlois, Ch. Mortet of the Bibliothèque Sainte-Geneviève, Reinach, Stein, Venturi, and Winsor. Publication has been delayed. The two numbers (six parts) remaining to complete the first volume will be issued during the course of the present year, and the second volume will begin with the year 1897.

A bibliography of the Congo, containing 3,800 titles, relating to the history, etc., of that region, has been published by A. J. Wauters, the author, — *Bibliographie du Congo, 1880-1895* (Brussels, 356 pp.)

Archivrat Dr. Ernst Berner will hereafter conduct the *Jahresberichte für die Geschichtswissenschaft*, in the place of Dr. J. Jastrow.

An index to the *Revue Historique* for the last five years is in preparation.

ANCIENT HISTORY.

The annual report of the Semitic Museum at Harvard University shows the addition during the past year of forty-three Babylonian clay tablets of the kind known as "contract tablets," twelve Babylonian-Assyrian stone seals, and an interesting inscribed alabaster tablet of the fourteenth century B.C., containing an inscription of sixty-five lines, recording the restoration of a temple at Asshur and calling down curses on any one who should ever injure the stone or tamper with the writing. In spite of this, several lines have been ground away, and the space has been written over again by a second hand.

The Vienna Academy of Sciences intends, upon the basis of extensive Austrian explorations and excavations, to publish a collection of the ancient inscriptions of Asia Minor. Vol. I., containing those of Lycia, is nearly ready for publication.

The Greek government has granted formal authority to the American School at Athens to conduct excavations at Corinth. These are to be entered upon at once and are expected to yield immediate and important results, the entire site of the city being a totally unexplored field and comparatively free from dwellings.

The Clarendon Press intend to publish *Revenue Laws of Ptolemy Philadelphus*, edited from a papyrus of the twenty-seventh year of that monarch's reign, obtained by Professor Flinders Petrie and Mr. B. P. Grenfell. The latter will edit the volume, supplying a translation, commentary, and appendices.

The imperial printing-office at Vienna has begun the publication of the Archduke Rainer's papyri, by issuing two volumes of legal documents, the one Greek, the other Coptic, the former (298 pp.) edited by Carl Wessely, the latter (225 pp.) by Jakob Krall.

O. Montelius has published (Berlin, Asher, 548 pp.) the first volume of his *La Civilisation primitive en Italie depuis l'Introduction des Métaux*, with 134 plates.

M. Carette's essay, *Les Assemblées Provinciales de la Gaule romaine* (Paris, Picard, 1895, 504 pp.), treats an interesting subject with much learning and skill.

Among recent dissertations in ancient history, separately published, may be noted: Ernst Windisch, *Ueber die Bedeutung des indischen Alterthums*, Leipzig (25 pp.); M. Wilbrand, *De rerum privatarum ante Solonis tempus in Attica statu*, Rostock (59 pp.); A. Mauri, *I Cittadini lavoratori dell' Attica nei secoli V e IV a. C.*, Bergamo (96 pp.); J. J. Binder, *Laurion: die attischen Bergwerke im Altertum*, Laibach (54 pp.); C. P. Burger, jr., *Roms Bündnisse mit fremden Staaten und der Latinerkrieg*, Amsterdam (36 pp.); V. Ferrenbach, *Die Amici Populi Romani republikanischer Zeit*, Strassburg (76 pp.); E. Kornemann, *Die historische Schriftstellerei des C. Asinius Pollio*, Leipzig.

Noteworthy articles in periodicals: H. Hirt, *Der Ackerbau der Indogermanen* (Indogermanische Forschungen, V. 5); D. G. Hogarth, *Nectanebo, Pharaoh and Magician* (English Historical Review, January); C. H. Toy, *The Pre-prophetic Religion of Israel* (New World, March); C. de Harlez, *La Religion Persane* (Muséon, 1895, 5); F. Blass, *Die sogenannte drakontische Verfassung* (Neue Jahrbücher für Philologie, 1895, 7); J. B. Bury, *The Battle of Marathon* (Classical Review, March); W. Schilling, *Die Schlacht bei Marathon* (Philologus, LIV. 2); G. E. Underhill, *Athens and the Peace of Antalcidas* (Classical Review, February); B.

Niese, *Der jüdische Historiker Josephus* (Historische Zeitschrift, LXXVI. 2); Ad. Schulten, *Die peregrinen Gaugemeinden des römischen Reichs* (Rheinisches Museum, L. 4); Th. Mommsen, *Die Geschichte der Todesstrafe im römischen Staate* (Cosmopolis, January); Marx, *Die "Ora Maritima" des Avienus* (Rheinisches Museum, L. 3).

EARLY CHURCH HISTORY.

A translation of Carl von Weizsäcker's *The Apostolic Age of the Christian Church*, made from the second revised edition by James Miller, is published in two volumes by G. P. Putnam's Sons.

The thirty-fifth volume of the *Corpus Scriptorum Ecclesiasticorum Latinorum* (Vienna, Tempsky, 493 pp.), one of the learned enterprises of the Vienna Academy, begins an edition of *Epistolæ Imperatorum, Pontificum, aliorum inde ab a. CCCLXVII usque ad a. DLIII datæ; Avelana quæ dicitur Collectio*, edited by Otto Günther.

Messrs. Longmans, Green and Co. issue a new edition, in six volumes, of the Count de Montalembert's *Monks of the West*, with an introduction on monastic constitutional history by Father F. A. Gasquet.

Noteworthy articles in periodicals: E. C. Butler, *Early Christian Literature* (Dublin Review, January); L. Guérin, *Étude sur le Fondement juridique des Persécutions dirigées contre les Chrétiens pendant les deux premiers Siècles de notre Ère* (Nouvelle Revue Historique de Droit Français et Étranger, XIX. 5); P. Allard, *La Situation Légale des Chrétiens pendant les deux premiers Siècles* (Revue des Questions Historiques, January); E. W. Brooks, *An Armenian Visitor to Jerusalem in the Seventh Century* (English Historical Review, January).

MEDIÆVAL HISTORY.

Partly by reason of the recent centenary of the death of Gibbon, a new edition of the *Decline and Fall of the Roman Empire* is to be brought out by Messrs. Macmillan and Co. It will consist of seven volumes, edited by Professor John B. Bury of Dublin. Vol. I. has already appeared.

The third section of Konrad Miller's *Die ältesten Weltkarten* deals with the smaller maps of the Middle Ages, chiefly those to be found as illustrations in manuscript treatises, and gives photographic reproductions of a large number (Stuttgart, Roth).

The Librairie Centrale des Beaux-Arts announces a work of great importance in the history of civilization, a *Histoire Générale des Arts appliqués à l'Industrie, du V^e Siècle à la Fin du XVIII^e*, in fifteen volumes, edited by E. Molinier. Part I. (*Ivoires*) has already appeared.

The latest issue in the Semitic series of the *Anecdota Oxoniensia* is the second part of the *Mediæval Jewish Chronicles and Chronological Notes*, edited by Mr. Ad. Neubauer.

The tenth volume of the *Bibliothèque de Carabas* is one upon the legend of Barlaam and Josaphat, edited by Mr. Joseph Jacobs.

The University of Pennsylvania has issued, as Vol. III., No. 1, of its Translations and Reprints, a brief collection of translated extracts from chronicles, etc., regarding the Fourth Crusade.

Messrs. Smith, Elder and Co. publish a new volume by Sir William Muir, entitled *The Mameluke or Slave Dynasty of Egypt*. Beside treating of the Mamelukes from 1260 to 1517, it also completes his history of the Abbaside Caliphate.

The Historische und Antiquarische Gesellschaft of Basel has begun the publication, in four volumes, of a series of studies and texts for the history of the Council of Basel (*Concilium Basiliense: Studien und Quellen zur Geschichte des Concils von Basel*). The first volume, edited by Julius Haller, is concerned with the years 1431-1437. The original journals of the proceedings have, after a long interval, been discovered.

Among recent dissertations in mediæval history, separately published, may be noted: W. Vietor, *Die northumbrischen Runensteine*, Marburg (50 pp.); T. Miller, *Place-names in the English Bede*, Strassburg (80 pp.); T. Lindner, *Die sogenannten Schenkungen Pippins, Karls des Grossen und Ottos I. an die Päpste*, Stuttgart (99 pp.).

Noteworthy articles in periodicals: D. Kaufmann, *Jewish Informers in the Middle Ages* (*Jewish Quarterly Review*, January); H. Hagenmeyer, *Le Procès des Templiers* (*Revue de l'Orient Latin*, 1895, 1); C. Piton, *À propos des Accusateurs des Templiers* (*Ibid.*, 1895, 3).

MODERN EUROPEAN HISTORY.

M. R. Rolland has published an important treatment of an interesting subject in his *Origines du Théâtre Lyrique Moderne, Histoire de l'Opéra en Europe avant Lully et Scarlatti* (Paris, Thorin).

The Jewish Publication Society of America has published (Philadelphia, 766 pp.) the fifth volume of its translation of Graetz's *History of the Jews*, extending from the Chmielnicki persecution, in Poland, 1648, to the year 1870. The sixth or supplementary volume will contain an index to the five volumes, maps, etc.

The firm of Spithoever at Rome has published two volumes (468, 514 pp.) of *Innocenti papæ XI. Epistolæ ad principes annis VI.-XIII. (1681-1689)*.

So considerable a literature of articles in periodicals has grown up around Dr. Max Lehmann's *Friedrich der Grosse und der Ursprung des siebenjährigen Krieges* (Leipzig, Hirzel, 1894), that a list may be useful, even though some of the articles have already been before the public for several months: R. Koser, *Historische Zeitschrift*, LXXIV. 1; Wiegand,

Deutsche Litteraturzeitung, 1894, 51; Treusch von Buttlar, *Deutsche Wochenblatt*, 1895, 1; Bailleu, *Deutsche Rundschau*, February, 1895; Lehmann, *Göttinger Gelehrte Anzeigen*, February; Delbrück, *Preussische Jahrbücher*, February; Ullmann, *Deutsche Revue*, May; G. Winter, *Blätter für litterarische Unterhaltung*, 1895, 20; Herrmann and Prutz, *Forschungen zur brandenb. und preuss. Geschichte*, VIII.; Berner, *Mittheilungen zur historischen Litteratur*, XXIII.; R. Waddington, *Revue Historique*, May, July; Luckwaldt, *Preussische Jahrbücher*, August; Ferd. Wagner, *Friedrichs des Grossen Beziehungen zu Frankreich und der Beginn des siebenjährigen Krieges* (dissertation, 157 pp.), Hamburg, Seitz; Naudé, *Forschungen zur brandenb. und preuss. Geschichte*, VIII. 2.

A new series of documents casting light on the French Revolution has begun to appear at Turin (Bocca, Vol. I., 516 pp.), edited by M. Kovalevski, under the title of *I Dispacci degli Ambasciatori veneti alla Corte di Francia durante la Rivoluzione*. M. Aulard reviews this first volume in *La Révolution Française* for November.

M. Albert Vandal has just published the third and concluding volume of his *Napoléon et Alexandre*, which was crowned by the French Academy in 1893, and again in 1894 (Paris, Plon).

Two volumes of nineteenth-century history, by Professor Charles M. Andrews, of Bryn Mawr College, will be published this spring by Messrs. G. P. Putnam's Sons, under the title, *The Historical Development of Modern Europe from 1815 down to 1880*.

Documents useful to the student of the annus mirabilis 1870 are brought together in P. Schneider's *Fontes iuris ecclesiastici novissimi: Decreta et Canones sacrosancti œcumenici concilii Vaticani, una cum selectis Constitutionibus pontificiis aliisque Documentis ecclesiasticis* (Ratisbon, Pustet, 136 pp.).

Among recent dissertations in modern history, separately published, may be noted: K. Häbler, *Der hansisch-spanische Konflikt von 1416 und die älteren spanischen Bestände*, Dresden (93 pp.); M. J. Bonn, *Spaniens Niedergang während der Preisrevolution des XVI. Jahrhunderts*, Stuttgart (199 pp.); Ph. Kalkmann, *Englands Uebergang zur Goldwährung im XVIII. Jahrhundert*, Strassburg (140 pp.); K. G. Bockenheimer, *Die Mainzer Klubisten der Jahre 1792 und 1793*, Mainz; Freiherr von Helfert, *Gregor XVI. und Pius IX., 1845-1846*, Prague (189 pp.); Mor. Ritter, *Leopold von Ranke*, Stuttgart (32 pp.); A. Dove, *Ranke und Sybel in ihrem Verhältniss zu König Max*, Munich (27 pp.).

Noteworthy articles in periodicals: W. A. Dunning, *Bodin on Sovereignty* (Political Science Quarterly, March); E. Pariset, *La "Société de la Révolution" de Londres dans ses Rapports avec Burke et l'Assemblée Constituante* (La Révolution Française, October); J. H. Rose, *Canning and Denmark in 1807* (English Historical Review, January); G. Cavaignac, *La Saisie de la Lettre de Stein en 1808* (Revue Historique, January); A.

Stern, *L'Origine du Decret de Proscription lancé par Napoléon contre Stein* (Revue Historique, March); F. Carry, *Le Vatican et le Quirinal*, 1870 (Le Correspondant, December); Sir Charles Dilke, *The Origin of the War of 1870* (Cosmopolis, January); Duc de Broglie, *La Mission de M. de Gontaut-Biron à Berlin*, IV. (Le Correspondant, — November); Marquis de Gabriac, *Souvenirs diplomatiques de Russie et d'Allemagne* (Revue des Deux-Mondes, January 1, 15; February 1).

GREAT BRITAIN AND IRELAND.

The latest issue by the Historical Manuscripts Commission (Fourteenth Report, Appendix, Part VIII.) presents calendars of the manuscripts in the possession of the corporations of Lincoln, Bury St. Edmunds, Hertford, and Great Grimsby, and of the Dean and Chapters of Worcester and Lichfield. The manuscripts of the city of Lincoln are especially interesting. Their series of royal charters begins with that of 1157. The registers of the acts of the corporation begin with 1421, and are particularly interesting for the sixteenth century. The documents reported upon at Bury St. Edmunds embrace not only those of the corporation but those of the charity feoffees, which include some of the abbey records. In examining the muniments of the Dean and Chapter of Lichfield, Mr. R. L. Poole discovered in the Registrum Album a new and hitherto unknown recension of the Chester Annals, older by three hundred years than the MS. used by Mr. R. C. Christie for his edition of the *Annales Cestrienses*, and a copy of the annals of Burton, a century older than that used for the *Annales Monastici* in the Rolls Series. Both present additional entries as well as an earlier text.

It is decided at Oxford that Ford's lecturer in English history shall be appointed for one year only and shall give not less than six lectures. It is understood that Sir James H. Ramsay, author of *Lancaster and York*, is a candidate.

In the 45th volume of the *Dictionary of National Biography* (Pereira to Pockrich) the most notable articles are those on Chatham and Pitt, the former by Mr. G. F. Russell Barker (who also writes the article on Shelburne), the latter by the Rev. Wm. Hunt. Lord Edmond Fitzmaurice deals with Sir William Petty.

The January number of the *Revue des Questions Historiques* contains a summary review of English publications respecting history issued during 1894 and 1895, by M. Alfred Spont.

The Court of Common Council, at a meeting in December, resolved that the records of the City of London should be printed *in extenso* and published, with full indexes and with such translations and notes as may be necessary, but without introductions. One or two volumes will probably be printed each year. A beginning will be made with the series of letter books A 1, from which extracts were published in Riley's *Memorials*.

The town of Northampton has issued, in a limited edition of one hundred copies, *Liber Custumarum: the Book of the Ancient Usages and Customes of the Town of Northampton, from the Earliest Record to 1448*. The book is a *verbatim et literatim* reproduction of the original manuscript, and is edited by Mr. Christopher A. Markham.

The Selden Society's volume for 1895 (Dr. Gross's selections from the coroner's rolls) is now issued. The volume for 1896 will be *Select Cases in Chancery from the Time of Richard II*.

The Cambridge University Press announces *The Rising in East Anglia in 1381*, with an appendix containing the Suffolk poll-tax lists for that year, by Edgar Powell.

A volume at Worcester containing a journal and accounts of William More, prior of the cathedral church, chiefly from 1513 to 1534, has been copied, and is to be published by the Early English Text Society under the editorship of Mr. Littlehales.

Mr. W. St. John Hope is preparing an elaborate work on the *Corporation Plate and Insignia of England and Wales*.

Mr. Julian Corbett has been engaged by the Navy Records Society to edit all the state papers which treat of the naval preparations in England during the years immediately preceding the Spanish invasion of 1588.

The Scottish History Society has issued, as Vol. XVIII. of its Publications, a volume entitled *Scotland and the Commonwealth: Letters and Papers relating to the Military Government of Scotland, August 1651–December 1653*, edited with an introduction and notes by C. H. Firth (Edinburgh, University Press, lv, 383 pp.).

The new edition of Pepys's *Diary*, edited by Mr. H. B. Wheatley, will be completed in nine volumes; the ninth volume will be supplementary in its nature, and will contain various appendices and a copious index.

The Public Record Office has issued the first volume of its *Calendar of State Papers, Domestic, of the Reign of William and Mary*. It extends from February 13, 1689, to April, 1690, and is edited by Mr. John Hardy, F.S.A.

The Navy Records Society will shortly publish Holland's *Navy Discourses* (of the middle of the seventeenth century) and the *Journal of Rear-Admiral James* during the wars of American Independence and the French Revolution. The latter contains, among other things, a most interesting description of life in Maine and a vivid account of the barbarities committed in New York by the British army.

Messrs. Macmillan and Co. announce a *History of the Post-Office Packet Service between the Years 1793 and 1815*, compiled from records, chiefly official, by Arthur H. Norway.

The memoirs and despatches of Sir Arthur Paget, brother of the first Marquis of Anglesey, are to be published this spring. Sir Arthur Paget was British envoy at various Continental courts during the Revolutionary and Napoleonic period. The volumes will be edited by his son, Sir Augustus Paget.

Messrs. P. S. King and Son propose to publish, in four royal octavo volumes, a general index to the third series of *Hansard's Parliamentary Debates*, covering the period from 1831 to 1891, and furnishing guidance to a series of 356 volumes.

Noteworthy articles in periodicals: F. W. Maitland, *The Origin of the Borough* (English Historical Review, January); F. Baring, *Domesday Book and the Burton Cartulary* (English Historical Review, January); Rev. A. Snow, *The Lollards* (Dublin Review, January); M. Oppenheim, *The Navy of the Commonwealth, 1649-1660* (English Historical Review, January); *The Diarists of the Restoration* (Quarterly Review, January); W. Bliss, *The Duke of Marlborough's Letters at the Hague* (English Historical Review, January); A. T. Mahan, *Nelson at Cape St. Vincent* (The Century, February); *The Reign of the Queen* (Edinburgh Review, January).

FRANCE.

The life, character, and works of Victor Duruy were treated by M. Jules Lemaître in his *discours de réception* at the Académie Française on January 16.

Upon the occasion of the fourteen-hundredth anniversary of the baptism of Clovis, the most eminent Catholic historical writers of France have united in the publication of a volume entitled *La France Chrétienne dans l'Histoire* (Paris, Firmin-Didot, 1896, 700 pp.) a work of high value as presenting, from the point of view of the best Catholic scholarship, the history of Christianity in France and the part played by the Church in French history. The book is reviewed in the *Revue Historique* for March (pp. 385-390) and in the *Revue des Questions Historiques* for January (pp. 201-218).

Le Moyen Age began recently the publication of a systematic bibliography of the works appearing each year in the field of French mediæval history, prepared by A. Vidier, a student at the École des Chartes. The list for 1894, comprising 3347 titles, has now been completed and issued in separate form under the name of *Répertoire Méthodique du Moyen Age Français; Histoire, Littérature, Beaux-Arts* (Paris, E. Bouillon, 118 pp.).

The new edition of the *Lectures Historiques* of M. Charles V. Langlois, covering the period between 395 and 1270, is designed for the *classe de troisième* in French lycées, but it will be useful to a much wider circle of students because of the admirable bibliographies prefixed to each chapter.

M. Ch. Bémont has brought out a supplement to the volume of *Rôles Gascons* published by M. Francisque Michel in 1885. The supplementary

volume (Collection des Documents Inédits, 1896) contains additional rolls, *temp.* Hen. III, indexes, and an introduction presenting a detailed study of these rolls.

M. H. de la Ferrière's edition of the letters of Catherine de' Medici is advanced by the publication of the fifth volume (1574-1577); M. de Boislisle's Saint-Simon by the addition of Vol. XI. (1703).

The eighth volume of the *Correspondance de Mazarin*, edited by the Vicomte G. d'Avenel, covers the very important period from July 1, 1657, to August 15, 1658.

Prince Lobanoff is about to publish a work, the fruit of long-continued researches, entitled *La Dictionnaire des Émigrés*, in which documentary evidence will be furnished respecting nearly thirteen thousand families who fled at the time of the Revolution, and respecting their subsequent fortunes.

Commandant Rousset completes his *Histoire Générale de la Guerre Franco-allemande* with Vols. V. and VI., the one relating to the campaign of the North, the other to that of the East.

Mr. Charles Chesnelong, who in 1873 conducted at Salzburg the negotiations of the monarchical party of the Assembly with the Count de Chambord, has published a highly interesting and important account of the episode in his *La Campagne monarchique d'Octobre 1873* (Paris, Plon, 1895, 555 pp.).

The Ministry of Foreign Affairs brings nearly to date its *Recueil des Traités de la France*. Vol. XIX., edited by J. de Clercq, covers the years 1891-1893 (Paris, Pedone).

Noteworthy articles in periodicals: Imbart de la Tour, *Les Paroisses rurales dans l'ancienne France, du IV^e au XI^e Siècle* (Revue Historique, March); C. V. Langlois, *Notices et Documents relatifs à l'Histoire de France au Temps de Philippe le Bel* (ibid.,); P. Viollet, *Comment les Femmes ont été exclues, en France, de la Succession à la Couronne* (Mémoires de l'Académie des Sciences Morales et Politiques, XXXIV.); Abbé A. Breuils, *Jean I., Comte d'Armagnac* (Revue des Questions Historiques, January); G. Salles, *Les Origines des premiers Consulats de la Nation française* (Revue d'Histoire Diplomatique, IX. 4); B. W. Wells, *The French Renaissance* (Sewanee Review, February); P. de Maulde, *Jean-Jacques Trivulce* (Revue Historique, March); G. Hanotaux, *Le premier Ministère de Richelieu* (Revue des Deux-Mondes, January 1, February 1); *The Princes of the House of Condé* (Edinburgh Review, January); H. M. Baird, *The Issue of Lettres de Cachet in Blank* (Nation, December 19); C. Morisot-Thibault, *Du premier Essai de la Division des Pouvoirs en France* (Revue du Droit Public, January); W. M. Sloane, *The Life of Napoleon Bonaparte* (The Century, — March); Ém. Ollivier, *Le Prince Louis Napoléon* (Revue des Deux-Mondes, December 15, January 15); *Marshal Canrobert* (Edinburgh Review, January).

ITALY, SPAIN, PORTUGAL.

A new historical review, devoted especially to the period of Italian history extending from 1789 to 1870, has been started at Turin, under the title *Rivista Storica del Risorgimento Italiano*. The editor is Benjamin Manzone, and the publishers Messrs. Roux, Frassati and Co. The general plan is closely similar to that of this review, and the table of contents of the first number is inviting.

The January number of the *Revue des Questions Historiques* contains a careful account of Italian publications issued during 1894 and 1895, and having reference to ancient history and the history of literature, prepared by L. G. Pélissier. Those relating to mediæval and modern history will be dealt with in the next number.

Beginning with its December number, the *Revista Crítica de Historia y Literatura Españolas* takes on the enlarged title of *Revista Crítica de Historia y Literatura Españolas, Portuguesas é Hispano-Americanas*. The plan is unchanged.

The March number of the *Revue Historique* contains a summary review of the Spanish historical publications of 1894, by Señor Rafael Altamira.

Vol. CXII. of the *Colección de Documentos inéditos para la Historia de España* (Madrid, 1895, 513 pp.) relates to the Hermandad of Cordova with Jaen, Baeza, Ubeda, Andújar, Arjona, etc., in the time of the infante Don Sancho. The editor is the Marquis de la Fuensanta del Valle.

The Verein für Reformationsgeschichte has engaged Dr. W. F. Tilton to write for it a small volume on the history of the Spanish Armada.

Preparations are making at Lisbon for an extensive celebration in 1897 of the fourth centenary of the departure from that city, on July 8, 1497, of the famous expedition to India commanded by Vasco da Gama. The celebration will include exhibitions, congresses, and the publication of literary and scientific works. The project, originated by the Geographical Society of Lisbon, will be elaborated by a commission presided over by the King of Portugal.

Noteworthy articles in periodicals: J. B. Bury, *Italy under the Lombards* (Scottish Review, January); R. da Costa, *Historias da Relações diplomaticas de Portugal no Oriente* (Boletim da Sociedade de Geographia de Lisboa, XIII. 12); Comte J. du Hamel de Breuël, *Carvalho, marquis de Pombal* (Revue Historique, January, March).

GERMANY, AUSTRIA, SWITZERLAND.

An historical commission for the kingdom of Saxony, on the model of those of Bavaria and Baden, is about to be established with an annual grant of ten thousand marks. It is expected that the Commission of Baden will,

during 1896, publish, among other continuations of its various undertakings, the conclusion of Vol. III. of the *Codex Diplomaticus Salemitanus*, the fourth volume of the Political Correspondence of Karl Friedrich of Baden, and a volume of documents illustrating the commercial intercourse, during the Middle Ages, of the towns of upper Italy with those of the upper Rhine.

Vol. LXIII. of the *Publikationen aus den königl. preussischen Staatsarchiven* (Leipzig, Hirzel) is part two of the portion dealing with the history of Hanover and Brunswick from 1648 to 1714, and is edited by A. Köcher.

Highly important additions to the general knowledge of the history of Prussian and German affairs in the years 1860–1863 are made by the continuation of the memoirs of Th. von Bernhardt, *Die ersten Regierungsjahre König Wilhelms I.* (Leipzig, Hirzel.)

Von Poschinger's *Fürst Bismarck und die Parlamentarier* and *Fürst Bismarck, Neue Tischgespräche und Interviews* supply the materials for a collection in English of *Bismarck's Table-Talk*, edited with an introduction and notes by Charles Lowe (Philadelphia, J. B. Lippincott Co., 387 pp.).

The latest addition to the Heeren and Ukert series, *Geschichte der europäischen Staaten*, is the fifth volume of Alfred Huber's history of Austria, extending from 1609 to 1648.

Dr. Reinhold Koser has succeeded Von Sybel as director of the Prussian Archives.

The Archdukes Albrecht and Wilhelm have caused the publication, in a series of six volumes recently completed, of the papers of their father, the Archduke Charles, the opponent of Napoleon (*Ausgewählte Schriften des Erzherzogs Karl von Oesterreich*). They have also caused the preparation of an extensive life of him, by H. von Zeissberg, of which we now have the first two volumes, covering the period from his birth in 1771 to the beginning of 1796.

The Swiss government has issued the fifth volume of its *Amtliche Sammlung der Acten aus der Zeit der helvetischen Republik*, ed. Joh. Strickler (Basel, Geering, 1548 pp.), progressing from October, 1799, to August 8, 1800.

Noteworthy articles in periodicals: C. Thümmel, *Das Einlager der altdeutschen Rechtsgeschichte* (Zeitschrift für die Kulturgeschichte, III. 1); Naudé, *Beiträge zur Entstehungsgeschichte des siebenjährigen Krieges* (Forschungen zur brandenb. und preuss. Geschichte, VIII. 2); M. Lehmann, *Fichte's Reden an die deutsche Nation vor der preussischen Censur* (Preussische Jahrbücher, December); P. Bigelow, *The German Struggle for Liberty* (Harper's Magazine, — March); H. von Treitschke, *Das Gefecht von Eckernförde 1849* (Historische Zeitschrift, LXXVI. 2); G. Steinhausen, *Gustav Freytags Bedeutung für die Geschichtswissenschaft* (Zeitschrift für die Kulturgeschichte, III. 1).

NETHERLANDS AND BELGIUM.

The merchant-guilds of the Low Countries have been made the subject of a careful study by H. Vander Linden, *Les Gildes Marchandes dans les Pays-Bas au Moyen Âge* (Ghent, Engelcke, 136 pp.).

Noteworthy articles in periodicals: W. Preger, *Beiträge zur Geschichte der religiösen Bewegung in den Niederlanden im zweiten Hälfte der XIV. Jahrhundert* (Abh. hist. Cl. Bayer. Akad. Wiss., XXI. 1); P. Poulet, *Les premières Années du Royaume des Pays-Bas* (Revue Générale de Belgique, 1895, 12); N. D. Doedes, "Vermakelijke" Nederlandsche Geschiedenis [Douglas Campbell *et als.*] (De Gids, December).

NORTHERN AND EASTERN EUROPE.

Dr. Bernhard Lundstedt, of the Royal Library at Stockholm, has begun the issue of an exceptionally excellent bibliography of Swedish periodical publications (*Sveriges Periodiska Litteratur: Bibliografi, enligt Publicistklubbens uppdrag utarbetad af Bernhard Lundstedt*). The first volume covers the period from 1645 to 1812, and lists 425 different publications of that period.

The Swedish government has published the third and fourth parts of Vol. III. of its great collection of treaties and negotiations with foreign powers, *Sveriges Traktater med främmande Magter*, covering the period from 1409 to 1520.

In the *Revue des Questions Historiques* for January M. E. Beauvois gives a summary review of the Danish historical publications of 1894.

The Hungarian nation will this year commemorate, by historical exhibitions and otherwise, the millennium of their occupation of Hungary.

A book of indispensable importance to students of Roumanian history is G. Bengesco's *Bibliographie Franco-roumaine du XIV^e Siècle*, which is intended to include all French publications relating to Roumania and all French publications by Roumanians printed or published in France. Vol. I. has appeared.

AMERICA.

The second volume of the *Report of the Commissioner of Education for the Year 1892-1893*, just published, contains some two hundred pages of documents and other historical matter illustrative of American educational history.

It is understood that the trustees of the consolidated New York Library have declined the offer made to them respecting the purchase of the books relating to the history of the Pacific Coast, collected by Mr. Hubert Howe Bancroft of San Francisco.

The federal government has issued, in an abundantly illustrated volume of 411 pages, the *Report of the United States Commission to the Columbian Historical Exposition at Madrid, 1892-1893*. The Commissioner-General, Rear-Admiral Luce, gives a history of the participation of the United States in the exposition, which is followed by the report of the other commissioner, Dr. Daniel G. Brinton, upon the collections exhibited there. A catalogue and description of the objects sent from the United States is also given. The report of Mr. W. E. Curtis, assistant in charge of the historical section of the American exhibit, is chiefly devoted to an elaborate account of the collection of portraits of Columbus, gathered together by him, and of other memorials of the discoverer. Cuts representing most of these pictures, statues, and monuments are given. Four monographs follow: on the Hemenway collection, by Dr. J. Walter Fewkes; on ancient Mexican feather-work, by Mrs. Zelia Nuttall; on ancient Central and South American pottery, by Dr. Walter Hough; and on chipped stone implements, by H. C. Mercer.

In the series of Johns Hopkins University Studies in Historical and Political Science the latest issues (XIII. 11-12, XIV. 1, and XIV. 2) are the following: *Government and Religion of the Virginia Indians*, by Samuel R. Hendren; *Constitutional History of Hawaii*, by Henry E. Chambers; and *The City Government of Baltimore*, by Thaddeus P. Thomas.

The American Catholic Historical Society has arranged with the Rev. Ferdinand Kittell, of Pittsburgh, to go to Rome and copy for the Society in the library and archives of the Vatican such new matter as he may find pertaining to the history of the Catholic Church in America.

The Leland Stanford Junior University issues, as the second of its monographs in the field of history and economics, a paper of 162 pages on the *Official Relations between the United States and the Sioux Indians*, by Lucy E. Textor. A preliminary chapter gives an outline of the history of the policy of the United States government with regard to the Indians generally. Succeeding chapters treat of the history of its especial relations with the Sioux from 1803 to the present time. The narrative is a plain and sober one, well founded on public documents, and confining itself quite closely to the field of administrative relations. The monograph, though not brilliant, is careful and instructive.

General Charles Hamlin and his son, Mr. Charles E. Hamlin, are collecting data and making other preparations for an extended biography of the late Vice-President Hannibal Hamlin.

Mr. Appleton P. C. Griffin, who may be addressed at the Boston Athenæum, has issued in a limited edition a *Bibliography of the Historical Publications issued by the New England States*, reprinted from the third volume of the publications of the Colonial Society of Massachusetts. The bibliography is in reality confined in each case to the one extensive series of volumes of historical records issued by the state. It gives in great

fulness the list of the contents of each volume, and is therefore a most useful little manual for the student of New England history. It is apparently highly accurate. The introduction gives a brief history of each of these state publications, with some information respecting analogous publications of other states.

The twenty-sixth volume of the *New Hampshire State Papers*, edited by Mr. Albert S. Batchellor, is a third volume of Town Charters (Concord, The State, 792 pp.). It consists of transcripts of the charters of townships and minor grants of lands made by the provincial government of New Hampshire within the present boundaries of the state of Vermont from 1749 to 1764, with an appendix containing the petitions to King George III. in 1766 by the proprietors and settlers under the New Hampshire Grants, and lists of the subscribers. It also contains historical and bibliographical notes relative to the towns in Vermont, by Hon. Hiram A. Huse, librarian of that state. It thus furnishes a body of material of much importance to the history of two or three states. Vol. XXVII. is now in press and nearly done. It will consist of the charters, plans, and other town papers of those towns granted by the Masonian Proprietors, alphabetically arranged, from A to M inclusive. Vol. XXVIII. will conclude this subject, after which attention will be given to the general records and papers of the Masonian Proprietors and to the earliest provincial laws.

The New Hampshire Historical Society has recently received a set of 308 maps published by Hermann Moll, London, 1711. Since the enlargement of its rooms, the Society has inaugurated monthly meetings for the reading of historical papers. An improved classification and arrangement of the library has already begun.

Mr. Robert T. Swan, Commissioner of Public Records of the State of Massachusetts, has issued his eighth annual *Report on the Custody and Condition of the Public Records of Parishes, Towns, and Counties*. It is characterized by the same excellences which have marked its predecessors, and forms a record of zealous and useful work worthy to be an example and incentive to other states. A distinctive feature of the present issue is the attention which it pays to proprietors' records.

The Record Commissioners of Boston have issued their twenty-sixth report. It is a continuation of the eighteenth, and contains the proceedings of the town from 1778 to the end of the year 1783.

Mr. Sidney S. Rider, of Providence, has issued in an elaborate edition, limited to 100 copies, the *Laws and Acts of Her Majesties Colony of Rhode Island and Providence Plantations, made from the First Settlement in 1636 to 1705*, commonly called the laws of 1705. This digest, though prepared for printing in 1705, by order of the General Assembly, has never before been printed, the earliest printed digest being that of 1719. It is needless to point out the importance of such a collection to the early history of the colony. Mr. Rider has prefixed a historical introduction; then follow the

120 pages of the original manuscript, reproduced in photographic fac-simile, and then a copy of the whole in plain Roman type, with an index.

In the January number of the Publications of the Rhode Island Historical Society, Mr. Henry C. Dorr continues his valuable monograph on the Proprietors of Providence, and their controversies with the freeholders.

Mr. Edward Field, one of the Record Commissioners of Providence, has published, through Messrs. Preston and Rounds, a little volume of *Tax Lists of the Town of Providence during the Administration of Sir Edmund Andros and his Council, 1686 to 1689*, containing also a list of polls for 1688, and the tax laws enacted by Andros and his Council. The edition is limited.

The second volume of the *Public Records of the State of Connecticut*, edited by Dr. Charles J. Hoadly, State Librarian, comprises the record of eight sessions of the General Assembly, between May, 1778, and May, 1780, together with the records of the Council of Safety for the same period. The appendix contains the proceedings of the Hartford Convention, of October, 1779, intended to regulate currency and prices, and those of the similar convention at Philadelphia in January, 1780. The former has been obtained from the archives of Rhode Island, the latter from those of Massachusetts. It is expected that the appendix to Vol. III. will contain the journals of the similar conventions held at Boston, Hartford, and Providence in 1780 and 1781.

At the annual meeting of the New York Historical Society, January 7, Mr. John A. King was elected president, Messrs. J. Pierpont Morgan and John S. Kennedy, vice-presidents, and Mr. William Kelby, librarian. The report of the treasurer showed a total of \$86,000 to the credit of the Society. The librarian's report showed an increase during the year of 3675 volumes of books, nearly 3000 pamphlets, 166 bound volumes of newspapers, and a considerable number of manuscripts, maps, etc.

The New York Society of the Colonial Dames of America has obtained permission from the authorities at Albany to collect, catalogue, and publish a certain body of the old wills preserved in the offices of the Court of Appeals.

The second number of the *Bulletin* of the Yonkers Historical and Library Association is devoted to the Philipse Manor Hall, and to a series of addresses made in support of movements for its more perfect preservation.

It is proposed to effect a gradual restoration of the historic buildings in "State House Row," Philadelphia. The Senate Chamber in Congress Hall is now being restored, under the auspices of the Society of Colonial Dames in Pennsylvania, as nearly as possible to its condition during the time of its occupancy by the United States Senate. The Daughters of the American Revolution are meantime to restore certain portions of Independence Hall to their original condition.

An interesting letter of William Penn to the first Duke of Ormonde, dated Philadelphia, January 9, 1683 $\frac{1}{4}$, is printed in the *Academy* for January 11.

Mr. Aksel G. S. Josephson, of the John Crerar Library, Chicago, is preparing an extensive bibliography of New Sweden, which will be printed in parts in *Samlaren*, the organ of the Swedish Literary Society in Upsala, and later in an English edition by the American Historical Association. The material relating to books printed previously to 1701 is now nearly completed, and that for the ensuing century is well in hand. The bibliography is expected to extend to the present time, and to include not only titles relating to the old Swedish colony proper, but also such as refer to the descendants of the Swedes on the Delaware and the local history of that region, in so far as it relates to the Swedish population.

Professor William P. Trent, of the University of the South, has reprinted from the *Vanderbilt Observer*, in a small pamphlet, an interesting and suggestive address on the study of Southern history, delivered recently before the Vanderbilt Southern History Society.

The Maryland Historical Society has just issued in its series of the *Archives of Maryland*, published by state authority, the third volume of the Correspondence of Governor Horatio Sharpe.

The January number of the *Virginia Magazine of History and Biography* contains a report of Lord Culpepper respecting Virginia in 1683, the Defence of Colonel Edward Hill (undated), a continuation of the letters of William Fitzhugh, and of Mr. Stanard's abstracts of Virginia land-patents. Among the minor matters, one of the most interesting is an account of a burning for petty treason.

The *William and Mary College Quarterly Historical Magazine* contains, in its January number, many documents and other matter interesting to the student of Virginian history. The non-Virginian reader will perhaps regard as most interesting the letters which Mr. Tyler has extracted from several county record books, his continuation of the reprint of the Journals of the meetings of the President and Masters of William and Mary College, and his exposure of the ancient myth respecting the tombstone of William Herris, often reputed to bear the date 1608, and to be the oldest tombstone in English America. Its date is 1698.

The North Carolina Society of the Sons of the Revolution is considering the publication of a new edition of J. S. Jones's *Revolutionary Defence of North Carolina*.

The General Assembly of Tennessee has made a grant to the Peabody Normal College for the establishment and maintenance of a chair of American History. One of the objects stated is historical publication. Upon this basis a magazine has been inaugurated in which, with the co-operation of the Tennessee Historical Society, the new professor, Dr. W.

R. Garrett, intends to publish original matter relating to the history of Tennessee and to other portions of American history. He has unfortunately chosen to give to this laudable local enterprise the pretentious and misleading title of *The American Historical Magazine*. If published as distinctively a magazine of Tennessee history, it would command general respect; for while in the first number (January, 1896) whatever relates to matters outside the borders of that state is of little or no value, the issue contains much interesting and valuable material relating to the early history of Tennessee. Such are, two accounts of the battle of King's Mountain, the one by an eye-witness, the other by an early inquirer; the Rev. Samuel Houston's proposed constitution for the state of Frankland, 1785, now for the first time reprinted in full from a perfect copy discovered in 1879; and an interesting body of selections from the correspondence of General James Robertson, extending from 1784 to 1790.

The printed report of the trustees of the Illinois State Historical Library, an institution founded by the state in 1889, shows a development gratifying indeed, but small in proportion to what should be done by so great and rich a state. The principal accession of unprinted material noted in the present report is that of a body of original muster-rolls and other records of the Black Hawk War.

The Chicago Historical Society will soon open to the public its new building at 140 Dearborn Avenue. The new house is a handsome romantic building of granite, and will contain the Society's library of 65,000 volumes, a reading-room, and a room of historic relics and works of art. The property of the Society is reported as \$64,000.

The Wisconsin Historical Society's annual report for 1895 has just been issued. Beside the usual full details of the Society's work, three important historical papers are printed: Radisson's Journal: its Value in History, by Henry C. Campbell; A Study of Antislavery Agitation in Wisconsin, with especial reference to the Booth case, by Vroman Mason; and a monograph on Early Bank Legislation in Wisconsin, by William W. Wight. Twenty years ago the library of an Amsterdam clergyman, R. J. van der Meulin, fell to the Society. It is rich in works relative to Dutch colonies in South America, and the Venezuela Commission have a translator and draughtsman working for them in the library at Madison.

Fifteen historical students at Milwaukee organized in December the Parkman Club, the objects of which are the study of Northwestern history, and the publication of the papers read at the meetings of the club. The latter will be issued in ten monthly pamphlets in each year, pagged for an annual volume. The first issue is a paper on Nicholas Perrot, by Mr. Gardner P. Stickney, and is a readable account of the life of that explorer and adventurer. The absence of accents in all the French names or words printed in the pamphlet seems extraordinary. The second paper is one by Mr. Henry C. Campbell, on the Exploration of Lake Superior.

Mr. J. N. Davidson, of Milwaukee, has published a volume of studies in the history of the region between Lake Michigan and the Mississippi, under the title *In Unnamed Wisconsin* (Milwaukee, H. E. Haferkorn, 307 pp.).

Dr. B. F. Shambaugh, instructor in the State University of Iowa, has begun the publication, through the State Historical Society at Iowa City, of a series of pamphlets entitled *Documentary Material relating to the History of Iowa*. It were much to be wished that some such collection were accessible to students of the history of each one of the Western states. The three numbers thus far published contain the fundamental documents respecting the acquisition and organization of Louisiana and those acts of Congress and of territorial legislatures which, relating to the territories of Louisiana, Missouri, Indiana, and Michigan, lie at the basis of the constitutional history of Iowa. Care has been expended upon the editing, which has been done with good judgment and completeness; but there are not a few typographical errors.

The January number of the *Annals of Iowa* is chiefly marked by three biographical articles, relating respectively to the Hon. Josiah B. Grinnell, General John M. Corse and the now famous Sergeant Charles Floyd.

The annual meeting of the Minnesota Historical Society on January 13 was made notable by a series of papers relating chiefly to the history of Minnesota as a territory, and written by persons all of whom were pioneers in the early settlement of the territory and state.

The ninth biennial report of the Board of Directors of the Kansas State Historical Society covers the years 1893 and 1894 and in part the year 1895. The Library is reported as having grown to nearly 16,000 bound volumes of books, 50,000 unbound volumes and pamphlets, and 16,000 bound volumes of newspapers and periodicals. Of the newspapers and periodicals, a catalogue extending to sixty pages is appended. The collection of Kansas newspapers is an extraordinary one already, numbering nearly 11,000 volumes, while nearly 800 are currently received at present, the gift of the various publishers. The legislature of 1895 provided a permanent home for the Society and its library in the State Capitol. Of manuscript gifts to the Society the most important was that received from Mr. Orville C. Brown of Adams, N.Y., the chief founder of Osawatomie. Next in importance are the voluminous records and papers bestowed by the Kansas Baptists, whose state convention has in this laudable action followed the example of the two Methodist conferences. The Society has recently celebrated its twentieth anniversary.

The Nebraska State Historical Society is upon the point of issuing a new volume of its *Proceedings* (Series II., Vol. I.). The town records of the village of Fontenelle, one of the earliest settlements in the state, will appear in Vol. II.

Dr. Douglas Brymner's *Report on Canadian Archives* for 1895, just issued, presents calendars of papers relating to Prince Edward Island from

1763 to 1801, New Brunswick from 1784 to 1801, Cape Breton from 1764 to 1801, and Hudson's Bay from 1673 to 1759. It also includes papers relating to Sable Island, and the French (now first printed) and English of Radisson's relation of his journeys of 1682-1683 and 1684.

The series entitled "The Story of the Nations" will be enlarged by a book on *The Story of Canada*, by Dr. John G. Bourinot, which will present the history of Canada from the discovery by Cartier to the establishment of the Confederation.

The Nova Scotia Historical Society has published, as Vol. VIII. of its Collections, a revised and augmented edition of the *History of Halifax City*, by the late Dr. Thomas D. Akins. The ninth volume (Halifax, Nova Scotia Printing Co., 207 pp.) contains a list of papers read before the Society since its foundation, a general index to the papers printed in the volumes of Collections, a paper by the Rev. M. Harvey of Newfoundland on the voyages and discoveries of the Cabots, an account of Attorney-General R. J. Uniacke, by Hon. L. G. Power, and a historical sketch of Louisbourg by J. K. Edwards.

Messrs. G. P. Putnam's Sons will soon publish an historical book on *The West Indies and the Spanish Main*, by Mr. James Rodway of British Guiana.

The Chilean government has brought out (Santiago de Chile, 1895, 485 pp.) the seventh volume of its *Colección de Documentos inéditos para la Historia de Chile*. Like its predecessor, it relates to Almagro and his companions.

The November number of the *Boletín* of the Real Academia de la Historia is chiefly occupied with an article by A. M. Fabié on the life and writings of Father Luis de Valdivia, the Jesuit whose labors were so valuable to the early development of Chile.

Noteworthy articles in periodicals (Period before 1607): L. Vidart, *Don Fernando el Católico y el Descubrimiento de America* (Boletín de la Real Academia de la Historia, September); F. W. Blackmar, *The Conquest of New Spain* (Agora, January); E. F. Ware, *Coronado's March* (Agora, January); B. Moses, *The Early Political Organization of Mexico*, II. (Yale Review, February);

. (Colonial): J. A. Davis, *Beginning of the American Presbyterian Church* (Presbyterian and Reformed Review, January); P. Barré, *La Formation territoriale et les Litiges des Frontières des États américaines* (Revue de Géographie, November); M. L. Fay, *Sir Edmund Andros* (New England Magazine, March); Woodrow Wilson, *In Washington's Day* (Harper's Monthly Magazine, January); id., *Colonel Washington* (ibid., March); H. B. Adams, *Lord Amherst* (New England Magazine, February); René de Kerallain, *La Perte du Canada* (Revue Historique, January); W. H. Bailey, *The Regulators of North Carolina* (American Historical Register, — January);

(Revolutionary, — 1789) : W. C. Ford, *Defences of Philadelphia in 1777* (Pennsylvania Magazine of History, January) ; C. W. Mixter, *Protest against the Evils of the Depreciated Continental Currency, 1781* (Quarterly Journal of Economics, January) ; George C. Mason, *Congress Hall, Philadelphia* (American Historical Register, March) ; W. S. Baker, *Washington after the Revolution, 1784-1799* (Pennsylvania Magazine of History, January) ;

(Period from 1789 to 1861) : P. L. Ford, *Jefferson's Drafts of the Kentucky Resolutions of 1798* (Nation, February 20) ; L. R. Harley, *Fries's Rebellion* (American Historical Register, March) ; P. Bouldin, *John Randolph of Roanoke* (The Century, March) ; *Letters of Elbridge Gerry* (New England Historical and Genealogical Register, January) ; *Journal of Surgeon A. A. Evans on Board the "Constitution," 1812* (Pennsylvania Magazine of History, January) ; *Lafayette's Visit to the United States in 1824-1825* (American Historical Register, — March) ; J. B. Moore, *The Monroe Doctrine* (Political Science Quarterly, March) ;

(Period since 1861) : E. B. Andrews, *A History of the Last Quarter-Century in the United States* (Scribner's Magazine, — March) ; F. Bancroft, *The French in Mexico* (Political Science Quarterly, March) ; L. M. Keasbey, *The Nicaragua Canal and the Monroe Doctrine* (Annals of the American Academy of Political and Social Science, January).